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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CRL.M.C. 380/2020

RAJESH KUMAR GUPTA & ORS ..... Petitioners

Through: Mr. Sameer Dewan, Advocate with petitioners in person.

versus

STATE & ANR ..... Respondents

Through: Ms. Manjeet Arya, APP for State with W/SI Sukhda, P.S. Uttam Nagar.
Mr. Rahul Naggar, Advocate for R-2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

O R D E R

% 24.01.2020

1. The present proceedings are instituted seeking quashing of FIR No. 614/2004 under Sections 498/406/34 IPC registered at P.S. Uttam Nagar on the ground of settlement having been arrived at between petitioner no.1 and respondent no. 2.

2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).

3. Learned APP for the State submits that in the present case charge-sheet has been filed under the aforesaid provisions against the present petitioners and respondent no.2 is the only complainant/victim.

4. Learned counsel for the petitioners submits that petitioner no.1 and respondent no.2 have settled their disputes before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 10.03.2014. A copy of the same is annexed as Annexure-C with the petition. It is further submitted that pursuant to the settlement the marriage between petitioner no.1 and

respondent no.2 has been dissolved by a decree of mutual consent passed by the Family Court, Dwarka, New Delhi on 22.01.2019.

5. The petitioners and respondent no.2 are present in person and have been identified by their respective counsel as well as the Investigating Officer.

6. Respondent no. 2 states that she has entered into the settlement with petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has no objection if the present FIR is quashed against petitioner no.1 and his relatives i.e. petitioner nos. 2 to 4.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily and the fact that the marriage between petitioner no.1 and respondent no.2 has already been dissolved, in my view, no useful purpose will be served in keeping them entangled in the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of. Miscellaneous application is disposed of as infructuous.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 24, 2020/ga