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

+ **CRL.M.C. 591/2020**

**PRABHAS PANDEY & ORS**

..... Petitioners

Through: Mr. Akhilesh Singh, Mr. Varun Gupta, Mr. Ravi Kumar and Mr. Deep Kumar Dwivedi, Advocates with petitioner no. 3 in person.

versus

**THE STATE & ANR**

..... Respondents

Through: Mr. Amit Ahlawat, APP for the State with SI Vipin Shokeen PS Model Town.  
R-2/Complainant in person.

**CORAM:**

**HON'BLE MR. JUSTICE RAJNISH BHATNAGAR**

**ORDER**

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**03.02.2020**

**Crl. M.A. No. 2423/2020 (for exemption)**

Exemption allowed subject to just exceptions.

The application stands disposed of.

**CRL.M.C. 591/2020**

1. It is submitted by learned counsel appearing on behalf of the petitioners that petitioner no. 3 is attorney of petitioner nos. 1 and 2.
2. Issue notice. Learned APP for the State, who appears on advance notice, accepts notice. Respondent No.2 appears and accepts notice.
3. This is a petition under Article 226 of the Constitution of India

read with Section 482 Cr.P.C. for quashing of FIR No.526/2016, under Sections 498A/406/34 IPC registered at Police Station-Model Town, District North-West, Delhi, and all proceedings emanating therefrom.

4. The brief facts of the case are that the petitioner No.1 and respondent No.2 got married on 23.11.2010 according to Hindu rites and ceremonies and they lived together as wife and husband with each other. After the marriage, some disputes and differences arose between them. On 20.09.2016, the respondent No.2 got the above said FIR registered against the petitioners for causing cruelties and demand of dowry.

5. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably before the Mediation Centre, Rohini District Courts, Delhi, in terms of the Agreement/Settlement Deed dated 15.05.2019. Copy of the same is placed on record. Accordingly, the marriage of the petitioner no.1 and respondent no.2 has already been dissolved by decree of divorce with mutual consent of the parties vide order dated 16.01.2020 passed by the Ld. Court of Smt. Barkha Gupta, Judge, Family Courts, Ronihi, North, Delhi. Copy of the decree of divorce is placed on record.

6. Respondent No.2 is present in Court today and she has been identified by the IO. The respondent No.2 admits that she has settled the matter amicably with the petitioners. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. As per settlement, the DD No.392610 dated

23.02.2020 of Rs.5,00,000/- has been handed over to the respondent No.2 today. Respondent No.2 submits that nothing remains to be adjudicated further between them and she has no objection if the FIR in question is quashed.

7. Learned counsel for the State submits that in view of the settlement between the parties, the State has no objection if the FIR in question be quashed.

8. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed, subject to costs of ₹10,000/- to be deposited by the petitioners with the Delhi High Court Legal Services Committee within two weeks from today. Upon placing on record the proof of deposit of costs within a week thereafter and handing over its copy to the Investigating Officer, FIR No.526/2016, under Sections 498A/406/34 IPC registered at Police Station-Model Town, District North-West, Delhi, and the proceedings emanating therefrom shall stand quashed.

9. The present petition stands disposed of accordingly. *Dasti.*

**RAJNISH BHATNAGAR, J**

**FEBRUARY 03, 2020**

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