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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 519/2020

AYUSH BHANDARI & ORS.

..... Petitioners

Through: Mr. Gurbaksh Singh and Mr. Jarnail Singh, Advocates with petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Ms. Jyoti Babbar, Advocate for Mr. Rajesh Mahajan, ASC for the State with SI Dharamender PS Vasant Kunj.

Mr. B. Venkatraman, Advocate for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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04.03.2020

1. This is a petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No. 128/2019, under Sections 498A/406/34 IPC registered at Police Station-Vasant Kunj, Delhi, and all proceedings emanating therefrom.
2. Issue notice. Learned counsel appearing on behalf of the State, who appears on advance notice, accepts notice. Learned counsel for respondent No. 2 enters appears and accepts notice.
3. The brief facts of the case are that petitioner No. 1 and respondent No. 2 got married on 06.12.2014 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 12.06.2019, the respondent No.2 got the above said FIR registered against the petitioners for causing cruelties and demand of dowry.

4. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably in terms of the Agreement dated 12.12.2019. A copy of the same is placed on record. Accordingly, the marriage of petitioner No. 1 and respondent No. 2 has already been dissolved by decree of divorce with mutual consent of the parties vide order dated 29.01.2020 passed by the Court of Sh. Sanjay Garg-I, Principal Judge, Family Courts, Patiala House Courts, New Delhi. Copy of the decree of divorce is placed on record.

5. Respondent No. 2 is present in Court today and she has been identified by the IO. 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. 052062 dated 15.02.2020 in the sum of Rs.5,00,000/- has been handed over to the respondent No. 2 in the Court 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.

6. 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.

7. 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 ₹5,000/- 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. 128/2019, under Sections 498A/406/34 IPC registered at Police Station-Vasant Kunj, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

MARCH 04, 2020

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