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

+ **W.P.(CRL) 531/2020**

SH. RAHUL GUPTA & ORS.

..... Petitioners

Through Mr. Sunil Kumar, Advocates with
petitioners in person

versus

STATE & ANR.

..... Respondents

Through Mr. Anand Thumbayil, Mr. Amanpreet
Singh, Advocates for Mr. Rahul Mehra, Standing
Counsel for the State.
ASI Mukesh Kumar PS : Neb Sarai.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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27.02.2020

Crl. M.A.No. 3980/2020

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 531/2020

1. Issue notice. Mr. Anand Thumbayil, Advocate appears on behalf of Mr. Rahul Mehra, Standing Counsel and accepts notice on behalf of the State. Respondent No.2 appears in person and accepts notice.
2. This is a petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No.135/2019, under Sections 498A/406/34 registered at Police Station-Neb Sarai, Delhi, and all proceedings emanating therefrom.

3. The brief facts of the case are that the petitioner No.1 and respondent No.2 got married on 05.03.2016 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 and they started living separately since 13.03.2018. On 12.04.2019, 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 20.09.2019 before the Mediation Centre, Saket Courts, New Delhi. 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 27.11.2019 passed by the learned Court of Mr. Praveen Kumar, Principal Judge, Family Courts, South Saket, 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. 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, entire payment has already been made to respondent no.2 except the last instalment of Rs. 1,00,000.00 which has been paid 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 payment of 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.135/2019, under Sections 498A/406/34 registered at Police Station-Neb Sarai, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

FEBRUARY 27, 2020
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