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

+ **CRL.M.C. 1267/2019**

LAL SINGH & ORS.

..... Petitioner

Through

Mr.D.K.Singh, Mr.Pankaj Chauhan,
Ms.Savita Singh, Mr.Rahul Tyagi,
Ms. Priyam Pandey, Ms.Smriti, Ms.
Anamika, Advocates

versus

THE STATE & ANR.

..... Respondents

Through

Mr. Sanjeev Sabharwal, APP for State
with SI Subhash, PS-Nandnagri
Mr. Chander Shekhar and Mr.
K.P.Singh, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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26.02.2020

CRL.M.C. 1267/2019

1. The present petition has been filed seeking the quashing of the FIR No.786/2017, PS Nand Nagri registered under Sections 498A/406/34 of the Indian Penal Code, 1860 on the ground that a settlement has been arrived at between the petitioners and the respondent no.2 and that no useful purpose would be served by the continuation of the proceedings in the present FIR.
2. The Investigating Officer is present in Court today and has identified the petitioners as being the accused and the respondent no. 2 as being the complainant in the aforesaid FIR.
3. Respondent no.2 has produced her original proof of identity, photocopy of

which is on record. Today on query by the Court, she affirms having signed her affidavit in support of the averments made in the petition as well as the settlement dated 21.11.2017 which has since been arrived at between her and the petitioner no.1 at the Delhi Mediation Centre, Karkardooma Court, Delhi during the course of the proceedings in HMA No.786/2018 on 25.07.2018 before the Court of Additional Principal Judge, Family Courts, Shahdara, Karkarooma Courts, Delhi, wherein she has stated that she has signed the settlement voluntarily of her own accord without any duress, coercion or pressure from any quarter.

4. She further testifies to the effect that in terms of the settlement between her and petitioner no.1, a total sum of Rs.1,75,000/- had been agreed to be paid to her by petitioner No.1 towards all her claims, of which a sum of Rs.1,50,000/- has been received by her previously during the proceedings under Section 13B(1) and 13B(2) of the Hindu Marriage Act, 1955. The balance sum of Rs.25,000 is handed over to her by petitioner No.1 today during the course of present proceedings vide a Demand Draft bearing No.169726 dated 11.12.2019 drawn on Corporation Bank in her favour and further states that now she has no claims remaining against the petitioners. Respondent No.2 further testifies to the effect that the marriage between her and the petitioner no.1 has since been dissolved vide a decree of divorce through mutual consent under Section 13B (2) of the HMA No.786/2018 on 25.07.2018 before the Court of Additional Principal Judge, Family Courts, Shahdara, Karkarooma Courts, Delhi.

5. Respondent No.2 further states that she has understood the implications of the statement made by her and she does not oppose the prayer made by the petitioners seeking the quashing of the FIR in question nor does she want the

petitioners to be punished in relation thereto.

6. On behalf of the State, there is no opposition to the prayer made by the petitioners seeking the quashing of the FIR in question, in view of the settlement arrived at between the parties.

7. In as much as the FIR has apparently emanated from a matrimonial discord between the parties which has been resolved by the dissolution of marriage between the petitioner no.1 and the respondent no.2 and all the claims having been settled, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them as also for the well being of respondent no.2

8. In view thereof, the FIR in question and all consequential proceedings emanating therefrom against the petitioners are thus quashed.

9. The petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 26, 2020/SG