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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 986/2020

VASUDEV SONI & ANR.

..... Petitioners

Through: Mr. Samama Suhajl, Mr. S.A. Siddiqui and Mr. Adnan Irshad,
Advocates with petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Ms. Rajni Gupta, APP for the State
with SI Saroj Bala PS Amar Colony.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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26.02.2020

1. Issue notice. Learned counsel for the State, who appears on advance notice, accepts notice. 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.174/2016, under Sections 498A/406/34 IPC registered at Police Station-Amar Colony, District South-East, 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 22.02.2014 according to Hindu rites and ceremonies and they lived together as wife and husband with

each other. On 02.03.2015, a child namely, Master Hitansh was born out of their wedlock. After the marriage, some disputes and differences arose between them and they started living separately since 05.07.2014. On 13.03.2016, 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 20.03.2017. 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 26.03.2018 passed by the learned Court of Ms. Madhu Jain, Judge, Family Court, South-East District, 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. 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.174/2016, under Sections 498A/406/34 IPC registered at Police Station-Amar Colony, District South-East, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

FEBRUARY 26, 2020

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