

\$~51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1025/2020**

ROHIT AHUJA & ANR

..... Petitioners

Through: Mr. Suresh Chandra, Adv. with
petitioners in person.

Versus

STATE (NCT) DELHI & ANR

..... Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Ashok Kumar, P.S. Amar Colony.
Ms. Harshita Aggarwal, Advocate for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

25.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 229/2012 under Sections 498A/406 IPC registered at P.S. Amar Colony on the ground of settlement having been arrived at between petitioner no.1 and respondent no. 2.
2. The present FIR is an outcome of matrimonial disputes between the petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned APP for the State submits that the names of the present petitioners were mentioned in column 11 of the charge-sheet; whereas rest of the accused were kept in column 12 as no evidence was found against them. He further submits that the trial court has not summoned the other

accused persons who were kept in column 12. Learned APP further submits that respondent no.2 is the only complainant/victim.

4. Learned counsel for the petitioners submits that petitioner no.1 and respondent no.2 have settled their disputes before the Mediation Centre, Saket Courts, New, Delhi on 16.11.2018. A copy of the same is annexed with the petition. It is submitted that in terms of the settlement, the marriage between petitioner no.1 and respondent no.2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court, Dwarka Court, New Delhi on 29.04.2019.

5. The petitioners and respondent no.2 are present in person and have been identified by their respective counsels as well as the Investigating Officer.

6. Respondent no. 2 states that she has entered into the settlement with petitioner no.1 out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has no objection if the present FIR and the consequent proceedings are quashed against the petitioners.

7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily and the fact that the marriage between petitioner no.1 and respondent no.2 has already been dissolved, in my view, no useful purpose will be served in keeping them entangled in the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings

emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of.

11. Dasti.

MANOJ KUMAR OHRI, J

FEBRUARY 25, 2020

ga