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

+ **CRL.M.C. 1107/2020**

VISHAL KUMAR SINGH & ORS. Petitioners

Through: with petitioner no. 1 in person.

versus

STATE & ORS. Respondents

Through: Ms. Rajni Gupta, APP for the State
with ASI Sunder Pal, PS Sangam
Vihar.

Mr. Anoop Kumar, Advocate for R-2
and 3 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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27.02.2020

Crl. M.A. No. 4360/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 1107/2020

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. 74/2017, under Section 3 of the Dowry Prohibition Act, 1961 registered at Police Station-Sangam Vihar, District South-East, Delhi, and all proceedings emanating therefrom.

2. Issue notice. Learned counsel for the State, who appears on advance notice, accepts notice. Learned counsel for respondent No. 2

enters appearance and accepts notice.

3. It is submitted by learned counsel for the petitioners that no marriage has taken place between petitioner no. 1 and respondent no.3. He further submits that petitioner nos. 2 and 3 are resident of Bihar and they are not present today. He seeks their personal exemption.

4. In the facts and circumstances, petitioner nos. 2 and 3 are exempted from personal appearance.

5. Learned counsel for respondent no. 2 submits that respondent no. 3, namely, Pooja Kumari is now married to somebody else and she is settled in her matrimonial home. He also seeks her exemption from personal appearance.

6. Respondent no. 3 is also exempted from personal appearance.

7. Brief facts of the case are that on 04.02.2014 engagement of petitioner no. 1 and respondent no. 3 was performed at Sangam Vihar, New Delhi. The marriage of petitioner no. 1 and respondent no. 3 was fixed for 06.06.2014, however, petitioners demanded car and Rs.10,00,000/- as dowry. It is alleged that due to last minute dowry demand, the engagement of petitioner no. 1 and respondent no. 3 was broken and their marriage could not be performed. On 15.02.2017, father of respondent no. 2 lodged against the petitioners.

8. It is submitted by learned counsel for respondent no. 2 that respondent no. 3 has already received payment of Rs.6,00,000/- by way of two banker's cheques. Respondent no. 3 has also filed her affidavit stating therein that the matter has been settled and she has no objection to the quashing of the FIR.

9. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably before the Mediation Centre, Saket Courts, New Dehi in terms of the order dated 21.12.2018. Copy of the same is placed on record.

10. Respondent No.2 is present in Court today and he has been identified by the IO. Respondent no. 2 admits that he has settled the matter amicably with the petitioners. He further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion and he has no objection if the FIR in question is quashed.

11. Learned APP 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.

12. 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, FIR No. 74/2017, under Section 3 of the Dowry Prohibition Act, 1961 registered at Police Station-Sangam Vihar, District South-East, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

FEBRUARY 27, 2020/AK