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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 623/2020**

VINEET DHAWAN & ORS Petitioner

Through: Mr. Vinod Kumar, Advocate.
Petitioners are present in person
except petitioner no.1.

versus

STATE & ANR Respondents

Through: Ms. Kamna Vohra, ASC for the State
with SI Lalit, P.S.Timarpur.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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04.03.2020

Crl. M.A.No. 4813/2020

Exemption allowed subject to just exceptions.

The application stands disposed of.

Crl. M.C. 623/2020

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.193/2018, under Sections 498A/406/34 IPC registered at Police Station-Timarpur, Delhi, and all proceedings emanating therefrom.

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

notice.

3. Petitioner no.3 appears on behalf of petitioner no.1 who has executed Letter of Authority in his favour as he is unable to travel from Kuala Lumpur as per the advisory of Malaysian Government due to ongoing threat of Corona virus. Petitioner no.1 is exempted from appearance.

4. The brief facts of the case are that the petitioner No.1 and respondent No.2 got married on 19.1.2001 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. On 5.9.2018, the respondent No.2 got the above said FIR registered against the petitioners for causing cruelties and demand of dowry.

5. Counsel for the petitioners submits that during the pendency of the trial, with the intervention of Mediation Cell, Tis Hazari Courts, Delhi, the parties have settled the matter amicably in terms of the Agreement/Settlement Deed dated 17.8.2019. 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 dated 21.12.2019 passed by the Principal Judge, Family Courts, Central Distt. Tis Hazari Courts, Delhi under Section 13 B(2) of Hindu Marriage Act.

6. 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, Rs.20 lacs have been paid by way of demand drafts. 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.

7. 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.

8. 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 costs of ₹5,000/- to be deposited by the petitioners with the Delhi State Legal Services Authority 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.193/2018, under Sections 498A/406/34 IPC registered at Police Station-Timarpur, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

MARCH 04, 2020/ib