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

+ CRL.M.C. 1656/2018

SATISH KUMAR & ORS Petitioners

Through: Mr. O.P. Saxena, Adv.

versus

STATE & ANR Respondents

Through: Mr. Mukesh Kumar, APP with SI
Sandeep Kumar, P.S. Swaroop Nagar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **19.02.2020**

1. The present proceedings are instituted seeking quashing of FIR No. 174/2012 under Sections 498A/406 IPC registered at P.S. Swaroop Nagar on the ground of a settlement having been arrived at between petitioner no.1 and respondent no. 2.
2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned APP for the State submits that the charge-sheet has been filed wherein present petitioners are accused and 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 out of Court and in terms of the settlement, they have decided to part their ways. It is further submitted that in pursuance to the settlement, the marriage between petitioner no.1 and respondent no.2 has already been dissolved by a decree of divorce by mutual consent passed by the Family Court, North District, Rohini Court, Delhi on 09.02.2015.

5. Learned counsel for the petitioners submits that the petitioners' grandmother is extremely ill and the petitioners have gone to their native place in order to attend to their grandmother, thus they could not appear in Court today. Respondent no.2 is present in person and has been identified by 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 petitioner no.1 and his relatives i.e., petitioner nos. 2 to 6.
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 would be served to keep 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. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 19, 2020

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