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

+ CRL.M.C. 3065/2014

MADHU SHARMA & ANR

..... Petitioners

Through: Mr. K.C. Jain, Mr. Gangaram and
Ms.Geeta Goswami, Advocates.

versus

STATE & ANR

..... Respondent

Through: Mr. M.S. Oberoi, APP for the State
with SI Rituraj, PS P. Vihar.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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05.02.2020

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. 59/2007, under Sections 498A/34 IPC registered at Police Station-Mianwali Nagar, Delhi, and all proceedings emanating therefrom.

3. The brief facts of the case are that the respondent No. 2 got married to Sh. Lokesh Kumar Sharma on 30.04.2004 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. On 04.07.2007, the respondent No. 2 got the above said FIR registered against the petitioners for causing cruelties and demand of dowry.

4. Counsel for the petitioner submits that initially FIR was

registered in Bhopal, however, the FIR was directed to be transferred to Police Station Mianwali Nagar, Delhi vide order dated 13.03.2008 passed by the Court of learned ACJM, Bhopal. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably. The marriage of Lokesh Kumar Sharma and respondent No. 2 had already been dissolved by decree of divorce with mutual consent of the parties vide order dated 17.02.2012 passed by the Ld. Court of Sh. Sudesh Kumar, ADJ, Central, Tis Hazari, 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, the DD No.164362 dated 01.02.2020 in the sum of Rs.3,75,000/- has been handed over to the respondent No. 2 today. 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, FIR No. 59/2007, under Sections 498A/34 IPC registered at Police Station-Mianwali Nagar, Delhi, and the proceedings emanating therefrom shall stand quashed.

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

RAJNISH BHATNAGAR, J

FEBRUARY 05, 2020

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