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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3783/2018**

PARTHA PRATIM MUKHERJEE

..... Petitioner

Through: Ms. Himani Aggarwal, Adv. with
petitioner in person.

Versus

STATE & ANR

..... Respondents

Through: Mr. Mukesh Kumar, APP for State
with SI Ishwar Singh, P.S. H.N. Din.
Mr. Rashid Islam, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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03.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 138/2015 under Sections 498A/406 IPC registered at P.S. Hazrat Nizamuddin on the ground of a settlement having been arrived at between the petitioner and respondent no. 2.
2. The present FIR is an outcome of matrimonial disputes between the petitioner (husband) and respondent no.2 (wife).
3. Learned APP for the State submits that in the present case, although the charge-sheet was filed against the present petitioner as well as Gautam Mukherjee and Meenakshi Mukherjee, however, these persons were not summoned by the trial court since they were kept in Column 12. Respondent

no.2 is the only complainant/victim.

4. Learned counsel for the petitioner submits that the petitioner and respondent no.2 have settled their disputes before the Counselling Cell, Family Court, Saket, New Delhi on 05.11.2016. A copy of the same is annexed with the petition. In terms of the settlement, marriage between the petitioner and respondent no.2 has been dissolved by a decree of divorce by mutual consent passed by the Family Court, South East District, Saket Court, New Delhi on 29.11.2017.

5. The petitioner 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 the petitioner 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 is quashed.

7. Learned counsel for the petitioner 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 the petitioner 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, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

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

application is disposed of as infructuous.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 03, 2020

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