

\$~13

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

Date of decision: 17.05.2021

+ **W.P.(CRL) 96/2021 & Crl.M.A. 731/2021**

KARAN NAYYAR alias VICKY & ORS. Petitioners
Through: Mr. Prem Prakash Mann, Advocate
Versus

STATE (NCT OF DELHI) & ANR. Respondents
Through: Ms. Richa Kapoor, Additional
Standing Counsel (Crl.),
Ms. Shivani Sharma &
Ms. Surabhi Katyal, Advocates
for respondent No.1/State with SI
Babita
Respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

The hearing has been conducted through video conferencing.

1. Vide this petition, quashing of FIR No. 1092/2015, registered at police station Prashant Vihar, Delhi is sought by petitioners.
2. Notice.
3. Ms. Richa Kapoor, learned Additional Standing Counsel for

respondent No.1/State accepts notice and submits that respondent No.2 is present through video conferencing and she has been duly identified to be complainant of FIR in question by the Investigating Officer of this case, who is also present through video conferencing.

4. With the consent of both the sides, the present petition has been taken up for final hearing and disposal.

5. Learned counsel for petitioners submits that marriage between petitioner No.1 and respondent no.2 was solemnized on 30.11.2010 as per Hindu rites. However, due to different mindsets, temperaments and incompatibilities, they started living separately from 25.06.2015. Further submitted that the matrimonial dispute between petitioner No.1-husband and respondent No.2-wife stands amicably settled before Mediation Centre, Rohini Courts, Delhi in terms of Settlement Agreement dated 26.04.2018 and decree of divorce has been already granted by the Family Court on 11.03.2020.

6. Respondent No.2, present through video conferencing affirms that the matrimonial dispute has been amicably resolved in terms of Settlement Agreement dated 26.04.2018 reached through Mediation Centre, Rohini Courts, Delhi and terms thereof have been fully acted

W.P.(CRL) 96/2021 Page 2 of 3

upon. Respondent No.2 submits that no grievance against petitioners survives and so, the FIR in question and proceedings emanating therefrom be quashed.

7. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

8. For the reasons afore-recorded, FIR No. 1092/2015, registered at police station Prashant Vihar, Delhi and consequent proceedings emanating therefrom are hereby quashed.

9. The petition is, accordingly, allowed and disposed of.

10. Pending application is disposed of as infructuous.

(SURESH KUMAR KAIT)
JUDGE

MAY 17, 2021

r