
(2011) 09 DEL CK 0497

In the Delhi High Court

Case No : Criminal M.C. 3242 of 2011

Bhupinder Singh and Others

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision : 27-09-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 34, 406, 498A

Citation : (2011) 09 DEL CK 0497

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : Vineet Agarwal, for the Appellant; C.S. Chauhan, APP for State, Rajender Singh and Ranvir Vats Advocate for R-2, for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.

CrI. M.A. 11526/2011 (Exemption)

Allowed subject to all just exceptions.

CrI. M.C. 3242/2011

1. Learned Counsel for Petitioner submits that vide FIR No. 156/2010, a case under Sections 498A/406/34 Indian Penal Code, 1860 was registered against the Petitioners at P.S. Vikas Puri. Further submits, that the matter has been settled between the parties for a total sum of Rs. 3,50,000/- The marriage between the Petitioner No. 1 and Respondent No. 2 has already been dissolved vide decree of divorce dated 27.07.2011.
2. It is submitted that as settled between the parties, a sum of Rs. 2,50,000/- and admitted dowry articles has been returned to the Respondent No. 2/ complainant.
3. Respondent No. 2/complainant is personally present in the court today. She is

duly identified by her counsel, Mr. Ranvir Vats, Advocate and IO/ASI Rajender Singh, PS Vikas Puri, Delhi. She submits that she does not want to pursue the case anymore in view of the settlement arrived at between her and the Petitioners. She further submits that she has no objection if the abovementioned FIR is quashed.

4. Learned APP for State submits that the investigations in the case are going on, therefore, the Charge sheet has not been filed in the Court. He further submits that since the Government machinery has been misused and the precious time of the court has been consumed, the Petitioners must be imposed with heavy costs.

5. I find force in the submissions made by learned APP for State, but keeping in view the poor financial condition of the parties, I refrain imposing cost upon the Petitioners.

6. In the facts and circumstances of the case and in the interest of justice, I quash the aforesaid FIR and all the proceedings emanating therefrom.

7. Criminal M.C. 3242/2011 is allowed in the above terms.