

(2019) 02 DEL CK 0566

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 52 Of 2017

Jasvinder Singh

APPELLANT

Vs

State (Nct Of Delhi) & Anr

RESPONDENT

Date of Decision : 07-02-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 354A, 498A, 506, 509

Citation : (2019) 02 DEL CK 0566

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Davinder Hora, Sikandar Khan, Neelam Sharma, Ajay Sharma

Final Decision : Allowed

Judgement

Sunil Gaur, J

CRL.M.C. 52/2017

Quashing of FIR No. 164/2013, under Sections 323/341/506 of IPC registered at police station Kirti Nagar is sought on the basis of Mediated Settlement of 6th April, 2016 which is a composite settlement relating to the FIR in question, FIR No. 163/13, under Sections 323/354A/506/509/34 of IPC, registered at Police Station Kirti Nagar and FIR No. 381/2013 under Sections 498A/406/34 of IPC, registered at Police Station Tilak Nagar.

Learned counsel for the parties submits that petitioner as well as his sister-Gurpreet Kaur is present in the Court and son of respondent No. 2- Ravinder Singh is also present in the Court and that Ravinder Singh is the husband of Gurpreet Kaur and have been identified to be by SI Mahendra Kumar.

Learned counsel for the parties submits that both the sides have voluntarily agreed to quashing of FIR in question as well as FIR Nos. 163/13, P.S. Kirti Nagar and 381/13, P.S. Tilak Nagar but so far as divorce proceedings are concerned, respondent-Ravinder Singh is reluctant to give divorce to his wife-Gurpreet Kaur.

Both sides submit that substantial compliance of the Settlement Agreement of 6th April, 2016 has been made by the parties.

In view of the stand taken as aforesaid, FIR No. 164/2013, and FIR No. 163/13, registered at P.S. Kirti Nagar and FIR No. 381/13, registered at P.S. Tilak Nagar, Delhi are hereby quashed.

Consequently, this petition is allowed to the aforesaid extent, while leaving the divorce aspect open to be reconsidered by the parties. Needless to say, both the parties shall be bound by the terms as reflected in paragraph Nos. 6 and 7 of the settlement agreement on 6th April, 2016.

Dasti.