

(2021) 01 DEL CK 0100

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 6 Of 2021, Criminal Miscellaneous Application No. 14 Of 2021

Nishchint Sirohi & Others

APPELLANT

Vs

State (Govt. Of Nct Delhi) & Another

RESPONDENT

Date of Decision : 15-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A
Hindu Marriage Act, 1955 — Section 13(1)(ia), 13B(2)

Citation : (2021) 01 DEL CK 0100

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Anil Kumar, Panna Lal Sharma

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

The hearing has been conducted through video conferencing.

1. Vide the present petition, petitioners are seeking quashing of FIR No.797/2014, under Sections 498A/406/34 IPC, registered at police station North Rohini, New Delhi and all other proceedings arising therefrom.

2. Notice issued.

3. Mr. Panna Lal Sharma, learned Additional Public Prosecutor for State accepts notice and submits that respondent No.2 is present through video

conference and she has been identified as the complainant of FIR in question by the Investigating Officer of this case, who is also present through video conferencing.

4. With the consent of the parties, the present petition is taken up for final

hearing.

5. The marriage between petitioner No.1/husband and respondent No.2/wife was solemnized on 05.03.2008 and due to temperamental differences, the marriage could not work and they started living separately since 12.12.2013. The matrimonial dispute between the parties culminated into the FIR in question.

6. The present petition has been filed on the ground that the parties have amicably settled their matrimonial dispute vide Compromise Deed dated 22.11.2019 and the joint petitions under Section 13 (1) (ia) and Section 13 B(2) under the Hindu Marriage Act, 1955 have been allowed by the learned Principal Judge, Family Court, Rohini Courts, New Delhi and decree of divorce has been granted on 10.11.2020.

7. Learned counsel for the petitioners submits that the terms of settlement have been acted upon and the balance amount of Rs.6,00,000/- has been paid to respondent No.2/complainant.

8. Keeping in view that the dispute between the parties has been amicably resolved, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

9. For the reasons afore noted, FIR No.797/2014, under Sections 498A/406/34 IPC, registered at police station North Rohini, New Delhi and consequent proceedings emanating therefrom against the petitioners, are hereby quashed.

10. The petition is accordingly allowed and disposed of.

11. Pending application also stands disposed of.

12. The order be uploaded on the website of this Court forthwith.