
(2021) 02 DEL CK 0272

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 591, 613 Of 2021, Criminal Miscellaneous Application No. 2970, 3029, 3030 Of 2021

Rajat Sethi & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 24-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 354B, 406, 498A, 506, 509
Hindu Marriage Act, 1955 — Section 13(1)(ia), 13(2)

Citation : (2021) 02 DEL CK 0272

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Izhar Ahmed, R S Goswami, Varun Mittal,

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

1. In the above captioned first petition [Crl.M.C. 591/2021], quashing of FIR No. 270/2019, under Sections 406/498A/34 IPC, registered at police

station North Rohini, Delhi is sought. In the above captioned second petition [Crl.M.C. 613/2021], quashing of FIR No. 122/2019, under Sections

323/354B/341/506/509/34 IPC, registered at police station Rajouri Garden, New Delhi, is sought.

2. Petitioner No.1 in the first captioned petition [Crl.M.C. 591/2021] is the husband, petitioner No.2 & 3 are the parents in laws and petitioner No.4 is

the brother-in-law of respondent No.2/wife, who is the complainant of FIR No. 270/2019. The basis of this FIR is matrimonial dispute between

petitioner No.1/husband and respondent No2/wife.

3. The matrimonial dispute resulted in registration of cross FIR bearing No.

122/2019 at police station Rajouri Garden, at the instance of mother of husband against the parents and family members of wife. In the above captioned second petition [CrI.M.C. 613/2021] quashing of the said FIR is sought by the parents and family members of wife.

4. Notice issued.

5. Mr. Izhar Ahmed, learned Additional Public Prosecutor for State, accepts notice of both the petitions and submit that complainants of both the FIR are present through video conferencing. He submits that complainants of both the FIRs are present through video conferencing and they have been recognized by SI Raj Kumar, Investigating Officer of these FIRs.

6. With the consent of both the sides, these petitions have been taken up together for final hearing and disposal.

7. The marriage between Mr.Rajat Sethi and Ms. Surbhi Magoo was solemnized on 25.11.2016 and due to temporal differences, the marriage could not work and they started living separately since 21.02.2018. The dispute between the parties culminated into the FIRs in question.

8. These petitions have been filed on the ground that the parties have amicably settled their dispute in terms of Compromise-Cum-Settlement Deed dated 24.11.2020. It is stated that joint petition under Section 13 (1) (ia) and Section 13 B(2) under the Hindu Marriage Act, 1955 has been allowed by the learned Principal Judge, Family Court, Rohini Courts, Delhi and decree of divorce has been granted on 27.01.2021.

9. It is submitted on behalf of the parties that the terms of Compromise-Cum-Settlement Deed dated 24.11.2020 have been fully acted upon and no grievance survives between the parties and therefore, proceedings arising out of FIRs in question be brought to an end.

10. The complainants of FIRs in question affirm the factum of settlement and they also affirm contents of their affidavits placed on record in support of these petitions.

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

12. For the reasons afore noted, FIR No. 270/2019, registered at police station North Rohini, Delhi as well as FIR No. 122/2019, registered at police

station Rajouri Garden, New Delhi, and consequent proceedings emanating therefrom are hereby quashed.

13. The petitions are accordingly allowed and disposed of.

14. Pending applications also stand disposed of.