

(2019) 11 DEL CK 0625

In the Delhi High Court

Case No : Criminal Writ Petition No. 3179 Of 2019, Criminal Miscellaneous
Application No. 40226 Of 2019

Ram Singh & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 15-11-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2019) 11 DEL CK 0625

Hon'ble Judges : Brijesh Sethi, J

Bench : Single Bench

Advocate : Yogesh Kumar, Harkesh Parashar, Sanjay Lao, Muddassar Khan

Final Decision : Disposed Of

Judgement

Brijesh Sethi, J

Quashing of FIR No. 278/2016, under Sections 498-A/406/34 IPC, registered at police station Maurya Enclave, Delhi is sought by petitioners on the ground that the matrimonial dispute between petitioner No.1-husband and respondent No.2-wife stands amicably settled before Counseling Cell, Rohini Courts, New Delhi in terms of Settlement of 29th August, 2018 and decree of divorce has been already granted by the Family Court on 25th January, 2019.

Notice.

Mr. Sanjay Lao, Additional Standing Counsel for respondent No.1/State submits that respondent No.2 is present in the Court and she has been duly identified to be complainant of FIR in question on the basis of identity proof furnished by her.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved through Counselling Cell, Rohini Courts, Delhi and terms of settlement reached between the parties have been fully acted upon as today, she has received the balance settled amount of Rs.1,40,000/- by way

of demand draft bearing No.008196, dated 8th November, 2019, drawn on Axis Bank, New Delhi from petitioners. Respondent No.2 submits that now, no grievance against petitioners survives and so, the FIR in question and proceedings emanating therefrom be quashed.

Since the subject matter of the FIR in question is essentially matrimonial, which stands mutually and amicably resolved between the parties and decree of divorce has been already granted by the Family Court, no useful purpose would be served in continuation of proceedings arising out of FIR in question.

In view of the above, FIR No. 278/2016, under Sections 498-A/406/34 IPC, registered at police station Maurya Enclave, Delhi and the proceedings emanating therefrom, are hereby quashed qua petitioners.

This petition stand disposed of. Pending application is disposed of as infructuous.