
(2020) 01 DEL CK 0560

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 123 Of 2020, Criminal Miscellaneous Application No. 540 Of 2020

Roshan Mishra & Ors.

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 31-01-2020

Acts Referred:

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

Citation : (2020) 01 DEL CK 0560

Hon'ble Judges : Brijesh Sethi, J

Bench : Single Bench

Advocate : Shashi Shankar, M.S.Oberoi

Final Decision : Disposed Of

Judgement

Brijesh Sethi, J

Quashing of FIR No. 492/2016, under Sections 498A/406/34 IPC, registered at police station Bindapur, New Delhi is sought in this petition on the basis of mediated settlement of 12th April, 2019 reached before Counselling Cell, Family Courts, Dwarka, New Delhi and that decree of divorce has already been granted by the Family Court, Dwarka, New Delhi on 1st November, 2019.

Notice.

Mr. M.S.Oberoi, learned Additional Standing Counsel for respondent/State submits that petitioners as well as respondent No.2/ complainant of this FIR, are present in the Court and they have been duly identified on the basis of indentify proof furnished by them.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved through Counselling Cell, Family Courts, Dwarka, New 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.1,00,000/- by way of demand draft bearing No.173722, dated 25th November, 2019, drawn on Corporation Bank, Branch Friends Colony, New Delhi from petitioners and that decree of divorce has already been granted by the Family Court on 1st November, 2019. Respondent No.2 submits that now no grievance against petitioners survives and therefore, the proceedings arising out of the FIR in question be brought to an end.

Since the matrimonial dispute stands amicably resolved between the parties, this petition is allowed and FIR No. 492/2016, under Sections 498A/406/34 IPC, registered at police station Bindapur, New Delhi and the proceedings emanating therefrom are quashed qua petitioners.

This petition and application stand disposed of accordingly.