

(2021) 02 DEL CK 0219

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 538 Of 2021, Criminal Miscellaneous Application No. 2695, 2696 Of 2021

Satyam Khanna & Anr

APPELLANT

Vs

State Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 19-02-2021

Acts Referred:

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

Citation : (2021) 02 DEL CK 0219

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Haneef Mohd., Izhar Ahmed

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

1. By this petition, petitioners are seeking quashing of FIR No.274/2016, under Sections 498A/406/34 IPC, registered at police station Geeta Colony,

Delhi and the proceedings emanating therefrom.

2. Notice issued.

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

conferencing and she has been identified as the complainant of FIR in question by the Investigating Officers of this case, who are 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 and respondent No.2 was solemnized on 14.10.2015 and due to temporal differences, the marriage could not work and they started living separately since 14. 12.2016. The 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 dispute in terms of Settlement-Agreement of 09.12.2019 arrived at Delhi High Court Mediation and Conciliation Centre. 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, Saket Courts, New Delhi and decree of divorce has been granted on 16.12.2020.

7. Learned counsel for the petitioners submits that the terms of Settlement-Agreement dated 09.12.2019 have been acted upon and the balance amount of Rs.4,55,000/- has been paid to respondent No.2/complainant. Respondent No.2, present through video conferencing, affirms factum of receipt of balance amount and submits she has "no objection" to quashing of FIR in question.

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.274/2016, under Sections 498A/406/34 IPC, registered at police station Geeta Colony, Delhi and consequent proceedings emanating therefrom are hereby quashed.

10. The petition is accordingly allowed and disposed of. Pending applications also stand disposed of.

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