

Bhupinder Singh and ors Vs. State and anr

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Court : Delhi

Decided On : Sep-27-2011

Judge : Suresh Kait, J.

Acts : [Indian Penal Code \(IPC\), 1860 \(IPC\)](#) - Sections 498A, 406, 34

Appeal No. : CRL.M.C. 3242/2011

Appellant : Bhupinder Singh and ors

Respondent : State and anr

Advocate for Def. : Mr. C.S. Chauhan, Adv.

Advocate for Pet/Ap. : Mr. Vineet Agarwal, Adv.

Judgement :

1. Learned counsel for petitioner submits that vide FIR No. 156/2010, a case under Sections 498A/406/34 Indian Penal Code, 1860 was registered against the petitioners at P.S. Vikas Puri. Further submits, that the matter has been settled between the parties for a total sum of ₹ 3,50,000/- The marriage between the petitioner No. 1 and respondent No. 2 has already been dissolved vide decree of divorce dated 27.07.2011.

2. It is submitted that as settled between the parties, a sum of Rs.2,50,000/- and admitted dowry articles has been returned to the respondent No. 2/complainant.

3. Respondent No.2/complainant is personally present in the court today. She is duly identified by her counsel, Mr. Ranvir Vats, Advocate and IO/ASI Rajender Singh, PS Vikas Puri, Delhi. She submits that she does not want to pursue the case anymore in view of the settlement arrived at between her and the petitioners. She further submits that she has no objection if the abovementioned FIR is quashed.

4. Learned APP for State submits that the investigations in the case are going on, therefore, the Charge sheet has not been filed in the Court. He further submits that since the Government machinery has been misused and the precious time of the court has been consumed, the petitioners must be imposed with heavy costs.

5. I find force in the submissions made by learned APP for State, but keeping in view the poor financial condition of the parties, I refrain imposing cost upon the petitioners.

6. In the facts and circumstances of the case and in the interest of justice, I quash the aforesaid FIR and all the proceedings emanating therefrom.

7. Criminal M.C. 3242/2011 is allowed in the above terms.

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