

Ajay Parmar and ors Vs. State and anr

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SooperKanoon Citation : sooperkanoon.com/922470

Court : Delhi

Decided On : Nov-01-2011

Judge : Suresh Kait, J.

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

Appeal No. : CRL.M.C.No.2606 of 2011

Appellant : Ajay Parmar and ors

Respondent : State and anr

Judgement :

1. On the last date of hearing, learned counsel for the petitioners submitted that respondent No.2/Ms.Sapna Parmar has already settled her disputes qua FIR No.538/2006 registered under Sections 406/498A Indian Penal Code, 1860 at P.S. Sarojni Nagar against petitioner No.1 and petitioner Nos.2 and 3, who are father-in-law and mother-in-law, respectively.

2. Today, it is submitted that respondent No.2/Ms.Sapna Parmar/respondent has amicably settled all her disputes qua the said FIR vide Memorandum of Understanding dated 3rd March, 2011. Pursuant thereto, the marriage between petitioner No. 1 and respondent No.2 has been dissolved vide a decree of divorce by mutual consent dated 24th October, 2011.

3. Learned counsel for petitioner submits that, in view of settlement entered between them, respondent No.2 does not want to pursue this case any further and has no objection, if the present FIR be quashed.

4. Ms.Sapna Parmar, D/o Shri Kashmir Singh Chauhan is present in person with her counsel Mr.T.C. Sharma, Advocate who has duly identified her.

5. On instructions, learned counsel for respondent No.2 submits that out of the total amount i.e. `7,35,000/-, `4,85,000/- has already been received by respondent No.2.

6. Today, the remaining amount of `2,50,000/- is being handed over to respondent No. 2 in Court vide pay order dated 31st October, 2011 bearing no.020296 in the name of Ms. Sapna Parmar drawn on State Bank of Mysore.

7. Learned counsel for respondent No.2 submits that she has no objection if FIR No. 538/2006 is quashed.

8. In the interest of justice, I quash FIR No.538/2006 registered under Sections 498A/406 Indian Penal Code 1860 at PS Sarojni Nagar against the petitioners on the complaint of respondent No.2, and proceedings emanating thereto.

9. Learned APP for the State submits that, while quashing the FIR a heavy cost should be imposed against the petitioners as Government machinery has been used and precious time of the Court has been consumed.

10. Accordingly, I impose cost of `20,000/- each on petitioner No.1 and petitioner No.2 to be paid in favour of Superintendent, Nirmal Chhaya, Jail Road, Tihar, New Delhi within two weeks from today. Proof of the same shall also be placed on record. I defer from imposing cost on petitioner No.3, as she is a non-earning member in the family.

11. Accordingly, Crl.M.C.No.2606/2011 stands allowed and disposed of in above terms.