

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C.No.2126/2008**

% **Date of decision : 11.08.2008**

Ashok Kumar & Ors Petitioners
Through: Mr.Rajesh Chhabra, Advocate.

Versus

State & Ors Respondents
Through : Mr.R.N. Vats, APP for State.
Smt.Sangeeta Chandana,
respondent No.3 in person.

CORAM :-

* **HON'BLE MR. JUSTICE ANIL KUMAR**

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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The learned counsel for the petitioners and respondent No.3 contend that the marriage between the petitioner No.1 and respondent No.3 has since been dissolved by a decree of divorce on the ground of mutual consent under Section 13 B(2) of Hindu Marriage Act, 1955. Under the settlement it was agreed that the respondent No.3 shall be paid a sum of Rs.1,20,000/- in settlement of all her claims against the petitioners which amount has since been paid to the respondent No.3. It is also contended that no useful purpose shall be served in

continuing with the proceedings pursuant to FIR No.466/2002 dated 27th July, 2002 under Section 498A and 406 of IPC registered at Police Station Hauz Khas, New Delhi, against petitioners.

Let the statement of respondent No.3 be recorded.

Statement of respondent No.3 has been recorded. Respondent No.3 has also been identified by the counsel for the petitioners. The respondent No.3 and learned counsel for the petitioners state that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.466/2002 dated 27th July, 2002 under Section 498A and 406 of IPC registered at Police Station Hauz Khas, New Delhi, against petitioners. Considering the facts and circumstances, it shall also be in the interest of justice to quash the said FIR and all the proceeding emanating therefrom. Learned Additional Public Prosecutor, Mr.Vats, also has no objection to the quashing of the FIR.

Therefore, in the totality of facts and circumstances, FIR No.466/2002 dated 27th July, 2002 under Section 498A and 406 of IPC registered at Police Station Hauz Khas, New Delhi, and all the proceedings emanating therefrom against petitioners are quashed.

The petition is disposed of.

Dasti.

August 11th, 2008
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ANIL KUMAR, J.