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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3178/2010

DAYAL CHAND Petitioner
Through: Dr. Dhan Mohan and Ms. Tanu Mishra, Advocates

versus

STATE Respondent
Through: Mr. O.P. Saxena, APP for State with Mr. SI Jitender Dagar
Mr. RN Sharma, Advocate for R-2

CORAM:
JUSTICE SHIV NARAYAN DHINGRA

% **ORDER**
25.11.2010

This petition under Section 482 Cr.P.C has been preferred by the petitioner for quashing an FIR No.492 of 2008 under Section 498A/406 IPC registered with police station Dabri, Delhi and the consequential proceedings emanating therefrom on the basis of compromise arrived at between the parties.

The FIR was registered against the petitioner under Section 498A/406 IPC and after registration of FIR, parties have inter se entered into a compromise and they applied for divorce by mutual consent on payment of lumpsum amount. It is submitted that entire payment of lumpsum amount, as per settlement, has been received by the complainant. The first motion has been made before the Matrimonial Court and the second motion is to be made.

It is made clear that the parties are bound by the compromise arrived at and the petitioner shall be bound by the terms of compromise with regard to second motion and in case he does not cooperate in second motion, a contempt of court proceedings shall be initiated against the petitioner.

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In view of the compromise arrived at between the parties, this petition is allowed and FIR No.492 of 2008 under Section 498A/406 IPC registered with police station Dabri, Delhi and the consequential proceedings emanating therefrom are hereby quashed, however, with the direction n to the petitioner that in case she(respondent) moves second motion, he shall cooperate in the second motion moved by respondent and divorce by mutual consent shall be obtained by them.

The petition stands disposed of in above terms.

NOVEMBER 25, 2010
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SHIV NARAYAN DHINGRA, J