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

+ **CRL.M.C. 4940/2014**

MAHENDER KUMAR Petitioner
Through **Mr. Rakesh Rajmurti, Adv.**

versus

STATE (NCT OF DELHI) & ANR Respondents
Through **Mr. Feroz Khan Ghazi, APP for State/
R-1 along with SI Amit Kumar, PS
Farash Bazar, in person.
Respondent No.2 in person.**

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **08.01.2015**

Crl. M.A. No.16928/2014 (exemption)

Exemption allowed, subject to just exceptions.

The application is disposed of.

Crl. M.C. No.4940/2014

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of FIR No.83/2014 under Section 363 IPC, registered at P.S. Farash Bazar, East Delhi on the complaint of respondent No.2.

Brief facts of the case are that the petitioner and the sister of respondent No.2/complainant were working at the same place. They fell in love with each other and on 24th January, 2014, the sister of respondent No.2 left her house and had performed the marriage with the petitioner at Ghaziabad, UP against the wishes of her parents as well as respondent No.2. On the basis of the complaint made by respondent No.2, the aforesaid FIR

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was registered against the petitioner. On 8th February, 2014, the sister of respondent No.2 was recovered. Her statement was recorded before the Magistrate under Section 164 Cr.P.C. wherein she stated that she got married with the petitioner with her own wishes and without any coercion, pressure and undue influence and she is major of 19 years of age.

During the pendency of the proceedings, the parties have settled their disputes by virtue of Settlement Deed dated 30th September, 2014 whereby the respondent No.2 and his family members had accepted the marriage of his sister Suman with the petitioner. Copy of the Settlement Deed is placed on the record. Respondent No.2 has also filed his affidavit in support of the petition.

The petitioner is present in Court who is duly identified by his counsel. Respondent No.2, who is also present in Court, is identified by the Investigating Officer. The said respondent has confirmed the settlement. He has no objection if the prayer made in the petition is allowed.

In view of averments made in the petition as well as the settlement, the FIR No.83/2014 under Section 363 IPC, registered at P.S. Farash Bazar, East Delhi and proceedings pursuant thereto are hereby quashed qua the petitioner. Since the Government machinery has been used, while quashing the FIR, I impose a cost of Rs.10,000/- upon the petitioner. The said cost shall be deposited by the petitioner with the Delhi High Court Mediation and Conciliation Centre within four weeks from today and receipt thereof be filed in the Registry thereafter.

The petition is accordingly disposed of.


MANMOHAN SINGH, J.

JANUARY 08, 2015/srb