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

\+ W.P.(CRL) 1389/2015

GAURAV SEHAJPAL & ORS. ..... Petitioners

Through Mr. Nishchal Joshi, Adv.

versus

STATE & ORS. ..... Respondents

Through Adv. For APP (appearance not given)

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

O R D E R

% 10.07.2015

Crl.M.A.9725/2015

Exemption allowed, subject to all just exceptions.

Application is disposed of accordingly.

W.P.(C) 1388/2015

The petition as well as respondent no.2 are present in the court along with their respective counsels.

The present application has been filed for quashing of the FIR No.112/2014 (PS CWC Nanakpura) dated 18.06.2014 instituted for offence under Sections 498A/406/34 IPC.

The petitioner and respondent no.2 got married in the year 2012 but shortly after the marriage, relationship became strained.

A petition for Restitution of Conjugal Rights under Section 9 of the Hindu Marriage Act was preferred by the petitioner. Respondent no.2 also lodged a complainant in CAW Cell, Nanakpura leading to the institution of

the subject FIR. In the proceeding for Restitution of Conjugal Rights preferred by the petitioner, the parties were sent for mediation.

In the mediation proceedings, the parties came to an amicable settlement to part ways peacefully.

It has been submitted on behalf of the petitioner and the respondentno.2 that first motion under Section 13(B)(1) of the Hindu Marriage Act was filed before the competent court on 03.11.2014 which was allowed by order dated 26.11.2014. The second motion was filed on 02.07.2015. The decree of divorce by mutual consent was passed on 04.07.2015.

As part of the settlement of disputes, parties were to approach the court for quashing of the FIR.

Under the aforementioned circumstances, the petitioner and the respondent no.2 jointly pray for quashing of the subject FIR.

On consideration of the above-stated facts, and in the interest of justice, FIR No.112/2014 (PS CWC Nanakpura) is quashed.

Application is disposed of accordingly.

ASHUTOSH KUMAR, J

JULY 10, 2015
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