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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3552/2016 and CrI.M.A.No.15018/2016
AMRENDRA PRASAD

..... Petitioner

Through: Ms.Rubina Arora and Mr.Krishna
Kumar Sharma, Advocates with the
petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Mr.G.M.Farooqui, APP for State with
SI Naresh Kumar, P.S. Uttam Nagar,
New Delhi.
Mr.Ashutosh, Advocate for R2 with
R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
30.11.2016

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This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner seeking quashing of FIR bearing No.71/2011, under Sections 498-A/406/34 IPC, registered at Police Station Uttam Nagar, New Delhi and all proceedings arising therefrom.

Learned counsel for the petitioner submits that the petitioner is the husband and the respondent No.2/complainant is the wife. Learned counsel for the petitioner further submits that due to misunderstanding, the respondent No.2/complainant got registered an FIR bearing FIR

No.71/2011, under Sections 498-A/406/34 IPC at Police Station Uttam Nagar, New Delhi. Counsel further submits that after the registration of the FIR, with the intervention of the friends and near relatives, the matter has been amicably settled between the parties vide settlement deed dated 23rd May, 2014 before the Counselling Cell, Family Courts, Dwarka Courts, New Delhi. Counsel further submits that the marriage between the parties has already been dissolved by a decree of divorce by mutual consent dated 29th May, 2015 granted by the Family Court. Counsel further submits that the petitioner has already paid the settled amount and the remaining amount of Rs.1.5 lakhs has to be paid to her at the time of quashing of FIR before this Court. Counsel thus submits that since the matter has been amicably settled between the parties and nothing is due to be paid to the respondent No.2, the present FIR and all consequential proceedings arising therefrom may be quashed, as it is coming in their way as a hurdle in leading a peaceful life in near future.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer, SI Naresh Kumar, P.S. Uttam Nagar, New Delhi and her counsel, Mr.Ashutosh, Advocate. The respondent No.2/complainant admits that she has amicably settled/compromised the matter with the petitioner. She submits that nothing further is to be adjudicated between the parties. She further submits that the settlement arrived at between the parties is voluntary and without any force, pressure or coercion. She further submits that she has no objection if the present FIR is quashed.

Looking into the facts and circumstances, since the matter has been amicably settled/compromised between the parties vide settlement deed

dated 29th May, 2015 before the Counselling Cell, Family Court, Dwarka, New Delhi, therefore, to meet the ends of justice and to have better relations amongst them in near future, it is appropriate and expedient to quash the FIR in question and all proceedings arising therefrom. Consequently, FIR bearing No.71/2011, under Sections 498-A/406/34 IPC, registered at Police Station Uttam Nagar, New Delhi and all proceedings arising therefrom are hereby quashed. Parties shall remain bound by the terms of the settlement deed dated 29th May, 2015 executed between the parties before the Counselling Cell, Family Court, Dwarka, New Delhi.

The petition stands disposed of accordingly.

Copy of this order be given *dasti* under the signature of the Court Master, as prayed.

I.S.MEHTA, J

NOVEMBER 30, 2016

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