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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4043/2016 & CRL.M.A.16913/2016
SANDEEP MITRA

..... Petitioner

Through: Mr.Narender S. Yadav, Advocate
with the petitioner in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.G.M.Farooqui, APP for State with
ASI Balraj Singh, P.S. Punjabi Bagh,
New Delhi.
Mr.R.K.Kohli, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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09.12.2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.318/2015, under Sections 498A/406/34 IPC, registered at Police Station- Punjabi Bagh, West Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that petitioner Sharad Kumar Pandey was the husband of the complainant/respondent No.2. Counsel further submits that the marriage between the petitioner and the respondent No.2 was solemnized on 25.11.2012 at Punjabi Bagh Club, New Delhi according to Hindu rites and ceremonies. Counsel further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further, resultantly, an FIR No.318/2015, under Sections 498A/406/34 IPC was got registered by

the respondent No.2 at Police Station-Punjabi Bagh, West Delhi. Subsequently, after the registration of the FIR, with the help of near relatives and close friends, they have amicably settled all their disputes and differences before the Mediation Centre, Tis Hazari Courts, Delhi vide settlement deed dated 28th July, 2015 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 6th May, 2016 granted by the Principal Judge, Family Courts, Tis Hazari Courts, Delhi. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioner. He further submits that the balance amount of Rs.1,75,000/- towards the settlement has already been given to the respondent No.2/complainant vide demand draft bearing No.106249 dated 01.10.2016 drawn on Central Bank of India in the sum of Rs.1,75,000/- in favour of respondent No.2, Priya Saini. He further submits that the petitioner and the respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between them, the FIR in question, which is coming as hurdle in their way and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Priya Saini is present in Court today and has been identified by her counsel and the Investigating Officer, ASI Balraj Singh, P.S. Punjabi Bagh, New Delhi. The complainant also admits that the matter has been amicably settled with the petitioner and she has no claim or grievance left against the petitioner. She further submits that

the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce dated 6th May, 2016 and she has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties and also the marriage between the petitioner and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 6th May, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.318/2015, under Sections 498A/406/34 IPC, registered at Police Station-Punjabi Bagh, West Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 09, 2016

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