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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3884/2016**
SHARAD KUMAR PANDEY

..... Petitioner

Through: Mr.Pathak Rakesh Kaushik, Advocate
with the petitioner in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Raghwinder Varma, APP for State
with Inspector Rajeev Yadav, P.S.
Inder Puri, Delhi.
Mr.M.K.Chaudhary, Advocate for R2
with R2/complainant in person.

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

ORDER

% **09.12.2016**

CRL.M.A.16322-16323/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Applications stand disposed of.

CRL.M.C. 3884/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.167/2006, under Sections 498A/406/34 IPC, registered at Police Station-Inder Puri, 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 29.05.2004 as per Hindu rites and ceremonies at Dhanbad, Jharkhand. 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.167/2006, under Sections 498A/406/34 IPC was registered at Police Station-Inder Puri, Delhi. Subsequently, with the help of near relatives and friends, the parties have amicably settled their disputes & differences in the proceedings before the Principal Judge, Family Courts, Tis Hazari Courts, Delhi on 18.04.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 13.05.2013 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 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 and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by her counsel and the Investigating Officer, Inspector Rajeev Yadav, P.S. Inder Puri, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners 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 13.05.2013

and she has no objection if the FIR in question is quashed. She further submits that she has already received from the petitioner the balance amount of Rs.1,50,000/- towards the settlement by way of demand draft bearing No.501085 drawn on ICICI Bank.

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 13.05.2013, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.167/2006, under Sections 498A/406/34 IPC, registered at Police Station-Inder Puri, Delhi and all the proceedings emanating therefrom are hereby quashed.

At this stage, the respondent No.2/complainant submits that her istradhan/jewellery articles are lying with the Police Station Inder Puri. The Investigating Officer present in Court admits the same. Let the said jewellery/istradhan articles of the respondent No.2/complainant be returned by the IO/SHO of the concerned Police Station.

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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