

\$~14

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3898/2016
ROHIT NAGARIYA & ORS. Petitioners
Through: Mr. S. Hasan M. Zaidi & Mr. M.
Khan, Advocates.

versus

STATE OF NCT OF DELHI & ANR. Respondents
Through: Mr.Kewal Singh Ahuja, APP for State
with SI Neeraj Kumar PS New Ashok
Nagar.
Mr. Masood Hussain, Adv. for R2
With R2 in person.

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

% **ORDER**
02.12.2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 1068/14 under Sections 498A/406/34 IPC, registered at Police Station New Ashok Nagar, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1 is the husband of the complainant. He has further submitted that due to temperamental differences and misunderstanding arisen between the petitioner No.1-husband and the complainant-wife, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and their marriage has also been dissolved by mutual consent by a decree of divorce dated 02nd June, 2016 granted by the

Principal Judge, District East, Family Courts, Vishwas Nagar, 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 petitioners. He further submits that the petitioners 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, SI Neeraj Kumar, PS New Ashok Nagar, New 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 petitioners. 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 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 No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 02nd June, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No. 1068/14 under Sections 498A/406/34 IPC, registered at Police Station New Ashok Nagar, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is disposed of accordingly. All pending

application(s) (if any) also stand disposed of.

Copy of the order be given *dasti*.

I.S.MEHTA, J

DECEMBER 02, 2016

manis