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

+ W.P.(CRL) 3429/2016

HIMANSHU ARORA

..... Petitioner

Through: Ms. Gajraj Singh and Ms. Sakshi Sachdeva, Advs. along with petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Avi Singh, ASC for State with Mr. Ananya Mohan, Adv. along with SI Virender Kumar, P.S. Keshav Puram.

Mr. Umesh Kumar Saini, Adv. for R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **15.12.2016**

Petitioner and respondent no.2 were married on 10th December, 2013.

Due to temperamental differences they started living separately from 20th April, 2015. On the complaint of respondent no.2, present FIR No. 282/15 under Section 328 IPC was registered against the petitioner at police station Keshav Puram on 20th April, 2016.

Respondent no.2 alleged that in the intervening night of 19th and 20th April, 2015, while she was sleeping, petitioner poured some intoxicating liquid in her mouth, due to which she became unconscious and when she regained her consciousness she found herself in the hospital.

Petitioner and respondent no. 2 have settled their disputes amicably.

Their marriage has also been dissolved by a decree of divorce dated 16th November, 2016. Respondent no.2 is present in Court and has been identified by SI Virender Kumar of police station Keshav Puram. She submits that she has already received ₹18 lacs in terms of the settlement. Balance settled amount, that is, ₹4 lacs has been handed over by the petitioner to the respondent no.2 today in Court vide two demand drafts, photocopies whereof have been placed on record.

Respondent no.2 submits that she has settled the matter with petitioner of her own free will and without any force, pressure or coercion and that she has no objection in case the FIR is quashed.

Keeping in mind that petitioner and respondent no.2 have decided to part their ways and have obtained the decree of divorce, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, FIR No. 282/15 under Section 328 IPC registered at police station Keshav Puram and the consequent proceeding emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

DECEMBER 15, 2016

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