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

+ CRL.M.C. 4779/2016

NITIN & ORS

..... Petitioners

Through: Mr.Rajesh Kumar Pandey, Advocate
with the petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Vijay Kr., P.S. Burari, Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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21.12.2016

Crl.M.A.No.19886/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4779/2016 and Crl.M.A.No.19885/2016 (stay)

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.1218/2014, under Sections 498-A/406/34 IPC, registered at Police Station Burari, Delhi.

It is submitted by learned counsel for the petitioners that the petitioner No.1 Nitin is the husband, the petitioner No.2 Arvind Tyagi is the father-in-law, the petitioner No.3 Rajeshwari Devi is the mother –in-law, the petitioner No.4 Sachin Tyagi is the brother-in-law and the petitioner No.5 is the sister-in-law of the respondent No.2/complainant. Counsel further

submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 21.04.2014. Counsel further submits that after the marriage, due to temperamental differences arisen between the parties, an FIR bearing No.1218/2014, under Sections 498-A/406/34 IPC was got registered by the respondent No.2/complainant at Police Station Burari, Delhi. After the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties and the marriage between the parties has already been dissolved vide judgment and decree dated 29th February, 2016 in HMA No.260/2016 passed by the Principal Judge, Family Court, Central District, Tis Hazari Courts, Delhi. Counsel further submits that since the matter has been amicably settled and the marriage has already been dissolved between the parties vide judgment and decree dated 29th February, 2016 and nothing remains to be adjudicated between them, the present FIR, which is coming as a hurdle in the peaceful life of the petitioners, may be quashed.

The respondent No.2/complainant is present in person and has been identified by the Investigating Officer Sub Inspector Vijay Kumar, P.S. Burari, Delhi and admits that she has amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort. She further submits that her marriage with the petitioner No.1 has already been dissolved by a decree of divorce dated 29th February, 2016 and nothing is due and payable to her by the petitioners and has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances, since the matter has been amicably settled between the parties, the marriage between the petitioner No.1 and the respondent No.2/complainant has already been

dissolved by a decree of divorce dated 29th February, 2016 and that nothing remains to be adjudicated between the parties, I deem it appropriate to quash the FIR in question.

Consequently, to meet the ends of justice and have peace in the life of the parties, FIR No.1218/2014, under Sections 498-A/406/34 IPC, registered at Police Station Burari, Delhi are hereby quashed subject.

The petition stands disposed of accordingly.

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

I.S.MEHTA, J

DECEMBER 21, 2016

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