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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4576/2016**
VIJAY PAL & ANR

..... Petitioners

Through: Mr.Arvind Vashistha, Advocaate with
the petitioners in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Through: Mr.Raghwinder Varma, APP for State
with W/SI Manoj, P.S. Baba Haridas
Nagar, Delhi.
Mr.J.D.Sharma, Advocate for R2 with
R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA
ORDER
% **08.12.2016**

CRL.M.A.19164/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4576/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.139/2014, under Sections 498A/406/34 IPC, registered at Police Station- Baba Haridas Nagar, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1 Vijay Pal was the husband and the petitioner No.2 Mrs.Daya Kaur was the mother-

in-law of the complainant. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 was solemnized on 22.02.2014 as per Hindu rites and ceremonies at Najafgarh, New Delhi. Out of the said wedlock of the parties, three children, i.e. two daughters namely Varsha and Bhoomi and one son namely Sagar were born which are presently in care and custody of the petitioner No.1. 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.139/2014, under Sections 498A/406/34 IPC was got registered by the respondent No.2 at Police Station-Baba Haridas Nagar, Delhi. Subsequently, with the help of near relatives and close friends, they have amicably settled all their disputes and differences vide settlement deed dated 28th February, 2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 6th October, 2016 granted by the Principal Judge, Family Courts, Dwarka, New 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 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, W/SI Manoj, P.S. Baba Haridas Nagar, 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 dated 6th October, 2016 and she has no objection if the FIR in question is quashed. Two demand drafts bearing No.543433 and 543432 dated 03.05.2016 and 01.12.2016 in the sum of Rs.35,000/- and Rs.40,000/- respectively, drawn on Syndicate Bank have been handed over by counsel for the petitioners to the respondent No.2/complainant today in Court towards the balance settled amount, which have been duly accepted and received by her.

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 October, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.139/2014, under Sections 498A/406/34 IPC, registered at Police Station-Baba Haridas Nagar, 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 08, 2016

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