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

+ CRL.M.C. 4610/2016

NAND KISHOR SAINI & ORS. Petitioners
Through: Mr.Sunil Tiwari, Adv.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents
Through: Mr.Raghuvinder Varma, APP for
State with SI Vikash Yadav, PS-
Palam Village.
Mr. Arun Kumar Sharma, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **09.12.2016**

CRL.M.A.19256/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4610/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.274/2013, under Sections 498A/406/34 IPC, registered at Police Station-Palam Village, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.4/deceased got married with the complainant on 27th February, 2009 as per Hindu rites and ceremonies. He has further submitted that due to temperamental differences and misunderstanding arisen between them, 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 24th December, 2014 granted by the Principal Judge, Family Courts (Dwarka), New Delhi. Learned counsel for the petitioners further submits that the petitioners have already handed over a demand draft No. 044492 dated 8th December, 2016 for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) drawn on Central Bank of India to the complainant. 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 Vikas Yadav, P.S.Palam Village, 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.4/deceased and respondent No.2 has

already been dissolved by mutual consent by a decree of divorce dated 24th December, 2014, to meet the ends of justice, the FIR No. 274/2013, under Sections 498A/406/34 IPC, registered at Police Station-Palam Village, 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 this order be given *dasti*.

I.S.MEHTA, J

DECEMBER 09, 2016/radhika