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

+ CRL.M.C. 4597/2016

RAHUL BANSAL & ORS. Petitioners
Through: Counsel (appearance not given)

versus

THE STATE OF NCT OF DELHI & ANR. Respondents
Through: Mr.G.M.Farooqui, APP for State
W SI Pinki, PS-New Ashok Nagar
Mr.Sanjay Sharma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **09.12.2016**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.362/2014, under Sections 498A/406/34 IPC & 4 D.P.Act, 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 and out of the wedlock one girl child namely Hridaya @ Seerat is born. 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 11th August, 2016 granted by the

Principal Judge, Family Courts, New Delhi. Learned counsel for the petitioners further submits that the petitioners have already handed over a demand draft No. 713963 dated 8th December, 2016 for a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) drawn on Canara Bank to the complainant. He further submits that all disputes have been amicably settled between the parties before mediation centre, Karkardooma Courts, Delhi on 10th December, 2016 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 Pinki, P.S.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 11th August, 2016, to meet the ends of justice, the FIR No.362/2014, under Sections

498A/406/34 IPC & 4 D.P.Act, 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* as prayed.

I.S.MEHTA, J

DECEMBER 09, 2016/radhika