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

+ CRL.M.C. 4616/2016

SATISH PAL & ORS

..... Petitioners

Through: Mr.Rajneesh Kapoor, Adv. with
Mr.Shiv S Rawat, Adv.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Yogesh Kumar, PS-Timarpur
Mr.Girdhari Lal Sharma, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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14.12.2016

CRL.M.A.19281/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4616/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.01/2013, under Sections 498A/406 IPC, registered at Police Station-Timarpur, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1 is the husband of the complainant and 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 13th May, 2016 granted by the Principal Judge, Family Court, Central District, Tis Hazari Courts, Delhi. Learned counsel for the petitioners further submits that all disputes have been amicably settled between the parties before mediation centre, Tis Hazari Courts, Delhi on 20th July, 2015 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 Yogesh Kumar, P.S.Timarpur, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and she has received all the due amount and 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 nothing remains to be adjudicated further as the complainant admits that she has received the due amount as per settlement dated 20th July, 2015 and also the

fact that the marriage between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 13th May, 2016, it is in their interest to lead their independent and peaceful life in future, to meet the ends of justice, the FIR No.01/2013, under Sections 498A/406 IPC, registered at Police Station-Timarpur, 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 14, 2016/radhika