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

+ **CRL.M.C. 40/2017**

VIKAS SHARMA & ORS Petitioner
Through: **Mr.Lalit Yadav, Adv.**

versus

STATE (GNCT OF DELHI) & ANR Respondents
Through: **Mr.Izhar Ahmad, APP for State**
SI Ajmer Singh, PS-CWC/Nanakpura
Ms.Seema Gupta, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% 09.01.2017

CRL.M.A.237/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 40/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.151/2013, under Sections 498A/406/34 IPC, registered at Police Station-Crime (Women) Cell, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that petitioner No.1 is the husband of the complainant and 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 2nd June, 2015 granted by the Principal Judge, Family Courts, Patiala House, 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 No.1 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 the Investigating Officer, SI Ajmer Singh, P.S. Crime (Women) Cell, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners at Mediation Centre, Dwarka Courts, Delhi on 15th April, 2015. She further submits that as per the terms of settlement she has received last instalment of Rs.2,00,000/- (Rupees Two Lakhs Only) by way of cheque bearing No. 704124 dated 03.12.2016 drawn on State Bank of Patiala. 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 2nd June, 2015, it

is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.151/2013, under Sections 498A/406/34 IPC, registered at Police Station-Crime (Women) Cell, Delhi and all proceedings arising of the same are hereby quashed. Parties to remain bound by the terms of settlement dated 15th April, 2015.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

JANUARY 09, 2017/radhika