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

+ CRL.M.C. 449/2017

BHUVNESH BATRA Petitioner

Through: Mr.T.C.Yogi, Adv.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Inderpal, PS-Rajouri
Garden.

Ms.Divya Attri, Adv. with
Ms.Rachna Batra, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **03.02.2017**

CRL.M.A.1999/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 449/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.754/2014, under Sections 498A/406/34 IPC, registered at Police Station-Rajouri Garden, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that petitioner, Sh.Bhuvnesh Batra is the husband of respondent No.2/complainant, Ms.Rachna Batra 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 in mediation centre, Tis Hazari Courts on 20.08.2015 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 15th October, 2016 granted by the Principal Judge, Family Court, West District, Tis Hazari Courts, 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 petitioner. 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, Ms.Rachna Batra is present in Court today and has been identified by the Investigating Officer, SI Inderpal, P.S. Rajouri Garden, Delhi. The complainant also admits that the matter has been amicably settled with the petitioner and as per the terms of settlement, she has already received last instalment of Rs.5,00,000/- (Rupees Five Lakhs Only) by way of cheque from the petitioner. She further submits that she has no claim or grievance left against the petitioner. 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, Sh.Bhuvnesh Batra and

respondent No.2/complainant, Ms.Rachna Batra has already been dissolved by mutual consent by a decree of divorce dated 15th October, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.754/2014, under Sections 498A/406/34 IPC, registered at Police Station-Rajouri Garden, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

FEBRUARY 03, 2017/radhika