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

+ CRL.M.C. 155/2017

DEEPAK SAINI

..... Petitioner

Through: Ms.Sunita Jain, Advocate with the
petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
ASI Devender Kr., P.S. Uttam Nagar,
Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

13.01.2017

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This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner seeking quashing of FIR No.24/2010, under Sections 406/498A/34 IPC, registered at Police Station Uttam Nagar, Delhi and all proceedings emanating therefrom.

Counsel for the petitioner submits that the petitioner Deepak Saini got married with the respondent No.2 Amandeep Kaur on 18.01.2008 according to Hindu rites, customs and ceremonies at Arya Samaj Mandir, Harit Vihar, Raghubir Nagar, New Delhi. Counsel for the petitioner further submits that after the marriage due to temperamental differences, the complainant started living separately from the petitioner since 04.06.2009. Counsel further submits that the aforesaid differences arisen between the parties resulted into registration of an FIR No.24/2010, under Sections 406/498A/34 IPC, at

Police Station Uttam Nagar, Delhi. Counsel further submits that after the registration of the FIR, the near relatives and friends intervened and the matter has been amicably settled between the parties and nothing further remains to be adjudicated between the parties and further submits that the marriage between the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 18.05.2015 passed by the Principal Judge, Family Court (West), Tis Hazari Courts, Delhi and further submits that the present FIR is coming as hurdle in the peaceful life of both the parties and prays that to lead their independent life in near future, the FIR and all subsequent proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the IO ASI Devender Kumar, P.S. Uttam Nagar, Delhi. The respondent No.2/complainant admits that she has settled all the disputes and differences with the petitioner and further admits that on the basis of the said settlement, her marriage with the petitioner has already been dissolved vide judgment and decree dated 18.05.2015 and nothing remains to be adjudicated further. She further submits that the settlement reached between them is voluntary and without any force, pressure or coercion and she has no objection if the FIR is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled/compromised between the parties and all the differences have been sorted out, resulting in passing of judgment and decree of divorce dated 18.05.2015 and nothing remains to be adjudicated further between the parties, I deem it appropriate to quash the FIR in question. Consequently, to meet the ends of justice, FIR No.24/2010, under Sections 406/498A/34 IPC, registered at Police Station Uttam Nagar, Delhi

and all proceedings emanating therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

Copy of this order be given *dasti* to the parties, as prayed.

I.S.MEHTA, J

JANUARY 13, 2017

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