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

+ CRL.M.C. 444/2017

MANISH NANDA & ORS. Petitioners

Through: Mr.Prateek Kumar, Adv.

versus

THE STATE (GNCT) DELHI & ANR. Respondents

Through: Mr.Izhar Ahmad, APP for State
SI Satish Bhati, PS-Kalkaji
Mr.D.K.Aggarwal, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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03.02.2017

CRL.M.A. 2009/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 444/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.64/2014, under Sections 498A/406/34 IPC, registered at Police Station-Kalkaji, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1, Sh.Manish Nanda is the husband of respondent No.2/complainant, Smt.Neha Nanda 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, Saket

Courts, New Delhi, on 06.02.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 18th November, 2016 granted by the Principal Judge (South-East), Family Courts, Saket, 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 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, Smt.Neha Nanda is present in Court today and has been identified by the Investigating Officer, SI Satish Bhati, P.S. Kalkaji, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received last instalment of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) by way of demand draft from the petitioners. She further submits that 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, Sh.Manish Nanda and respondent No.2/complainant, Smt.Neha Nanda has already been dissolved by mutual

consent by a decree of divorce dated 18th November, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.64/2014, under Sections 498A/406/34 IPC, registered at Police Station-Kalkaji, 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