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

+ CRL.M.C. 586/2017

SACHIN DHIMAN Petitioner

Through: Mr.Kunal Yadav, Adv.

versus

STATE & ANR Respondents

Through: Mr.Izhar Ahmad, APP for State
ASI Rajesh, PS-Aman Vihar
Mr.Narendra Prasad, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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13.02.2017

CRL.M.A.2527/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 586/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.430/2013, under Sections 498A/406/34 IPC, registered at Police Station-Aman Vihar, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioner has submitted that petitioner, Mr.Sachin Dhiman was the husband of the respondent No.2/complainant, Ms. Babita 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,

Rohini District Courts, Delhi on 08.10.2013 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 17.03.2015 granted by the Additional Principal Judge, Family Court (West), 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.Babita is present in Court today and has been identified by the Investigating Officer, ASI Rajesh, P.S. Aman Vihar, 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.1,00,000/- (Rupees One Lakh Only) 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, Mr.Sachin Dhiman and respondent No.2, Ms.Babita has already been dissolved by mutual consent by a decree of divorce dated 17.03.2015, it is in their interest to lead their independent and

peaceful life in future, consequently, the FIR No.430/2013, under Sections 498A/406/34 IPC, registered at Police Station-Aman Vihar, 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 13, 2017/radhika