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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 620/2017
YUGDEV SHARMA & ORS. Petitioner

Through: Mr.Uma Shankar, Adv.

versus

STATE & ANR. Respondent

Through: Ms.Kusum Dhalla, APP for State
SI Habeb Ahmed, PS-Shahdra

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **29.03.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.291/2001, under Sections 498-A/406/34 IPC, registered at Police Station-Shahdara, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1, Mr.Yugdev Sharma got married with respondent No.2, Ms.Mamta Sharma on 17.02.2001 according to Hindu rites and customs. He further submits that 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 vide Memorandum of Understanding dated 06.11.2013. He further submits that divorce between petitioner No.1 and respondent No.2 has been obtained on 05.05.2004 from the court of learned ADJ, Karkardooma District Courts, Delhi as Ex.Parte Divorce. 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, Ms.Mamta Sharma is present in Court today and has been identified by the Investigating Officer, SI Habeb Ahmed, PS-Shahdara, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and nothing remains due against 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 divorce between her and petitioner No.1 has been obtained on 05.05.2004 from the court of learned ADJ, Karkardooma District Courts, Delhi as Ex.Parte 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, Mr.Yugdev Sharma and respondent No.2, Ms.Mamta Sharma has already been dissolved, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.291/2001, under Sections 498-A/406/34 IPC, registered at Police Station-Shahdara, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MARCH 29, 2017/radhika