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

+ CRL.M.C. 779/2017 & CRL.M.A.3322/2017

SUNNY WALIA @ SUMIT WALIA Petitioner

Through: Mr.Rohit Jain, Adv.

versus

STATE & ANR.

..... Respondents

Through: Mr.Kamal Kr. Ghei, APP for State
Mr.Jatin S. Sethi, Adv. for R-2
S.I. Rajiv

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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11.05.2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioner for quashing of FIR No.770/2013, under Section 406 IPC, registered at Police Station- Mehrauli and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent No.2/complainant was solemnized on 28.07.2014 according to Hindu rites and customs. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted into registration of the aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties. He further submits that their marriage has already been dissolved by mutual consent by a decree of divorce dated 16.02.2017 granted by the Principal Judge, Family Courts, Patiala House Court, New Delhi. He also 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 is present in Court today and has been identified by the Investigating Officer, S.I. Rajiv. The complainant also admits that the matter has been amicably settled with 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 and that 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 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 16.02.2017, it is in their interest to lead their independent and peaceful life in future. Consequently, the FIR No.770/2013, under Section 406 IPC, registered at Police Station- Mehrauli and all proceedings arising out of the same are hereby quashed.

The present petition is allowed and disposed of accordingly. All the pending application(s), if any, are also disposed of.

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

I.S.MEHTA, J

MAY 11, 2017/km