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

+ CRL.M.C. 1483/2017

SURESH @ SURESH KUMAR & ANR Petitioners
Through: Mr.Rahul Kumar, Adv.

versus

STATE & ANR Respondents
Through: Mr.Mukesh Kumar, APP for State
ASI Jaichand, PS-Mukharjee Nagar
Ms.Vandana Singh, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **21.04.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.132/2004, under Sections 498-A/406/34 IPC, registered at Police Station-Mukherjee Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr.Suresh @ Suresh Kumar got married with respondent No.2, Ms.Jyoti on 26.11.2001 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 in Mediation Centre, Rohini Courts, Delhi vide settlement deed dated 10.05.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce

dated 13.01.2017 granted by the Principal Judge, Family Court, Central District, Tis Hazari Courts, 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, Ms.Jyoti is present in Court today and has been identified by the Investigating Officer, ASI Jaichand, PS-Mukharjee Nagar, 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 Rs.85,000/- (Rupees Eighty Five Thousand Only) from 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 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, Mr.Suresh @ Suresh Kumar and respondent No.2, Ms.Jyoti has already been dissolved by mutual consent by a decree of divorce dated 13.01.2017, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.132/2004,

under Sections 498-A/406/34 IPC, registered at Police Station-Mukherjee Nagar, 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

APRIL 21, 2017/radhika