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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1258/2017
RAJESH KUMAR & ORS

..... Petitioners

Through: Mr.Arvind Rathaur, Advocate with
the petitioners in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Through: Mr.G.M.Farooqui, APP for State with
W/SI Manoj Yadav, P.S. Baba
Haridas Nagar, Delhi.
Mr.A.K.Mishra, Advocate for R2
with R2/complainant in person.

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

ORDER
27.03.2017

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This is a petition under Section 482 Cr.P.C. for quashing of FIR No.440/2014, under Sections 498-A/406/34 IPC, registered at Police Station Baba Haridas Nagar, New Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 got married with respondent No.2, on 09.05.2006 at Azamgarh (U.P.) as per Hindu rites and customs. He further submits that after the marriage due to temperamental differences, a misunderstanding has arisen between them, which resulted into registration of the aforesaid FIR. Counsel further submits that after the registration of the FIR, the near relatives and friends

intervened and the dispute has been amicably settled between the parties and the same has been reduced into writing before the Counselling Cell, Family Courts, Dwarka Courts, New Delhi on 31.03.2016 and the said settlement has been acted between the parties and all due amounts agreed between the parties have been paid by the petitioners to the respondent No.2 and the last instalment of Rs.1 lac has already been paid and handed over by the petitioners to the respondent No.2/complainant vide demand draft bearing No.019952 dated 03.02.2017 drawn in favour of State Bank of India in favour of the respondent No.2 and nothing remains to be due and payable to her and the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 08.02.2017 passed by the Judge, Family Courts, Dwarka, New Delhi and nothing further remains to be adjudicated between the parties. However, the present FIR is coming as hurdle in the personal life of the petitioners and prays that 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 W/SI Manoj Yadav, P.S. Baba Haridas Nagar, New Delhi and is also represented by her counsel Mr.A.K.Mishra, Advocate. The respondent No.2/complainant present in person admits that the dispute has been amicably settled with the petitioners voluntarily and without any force, pressure or coercion and the same has been acted upon between the parties and as per the terms of settlement, she has already received all due amounts from the petitioners and nothing remains to be received by her from the petitioners and her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 08.02.2017 passed by the Judge, Family Courts, Dwarka, New Delhi and she has no objection if the aforesaid

FIR 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 the same has been acted upon between the parties and also that the marriage between the petitioner No.1 and respondent No.2, has already been dissolved by mutual consent by a decree of divorce dated 08.02.2017 passed by the Judge, Family Courts, Dwarka, New Delhi, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR in question and all subsequent proceedings arising therefrom.

Consequently, the FIR No.440/2014, under Sections 498-A/406/34 IPC, registered at Police Station Baba Haridas Nagar, New Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MARCH 27, 2017
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