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

+ CRL.M.C. 1786/2017

BALJEET SINGH & ANR Petitioners
Through: Mr.M.S.Kapoor, Adv.

versus

STATE & ANR Respondents
Through: Mr.Raghuvinder Varma, APP for
State with SI Satish Bhati, Police
Station-Kalkaji

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **03.05.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.1116/2014, under Sections 498-A/406/34 IPC, registered at Police Station-Kalkaji, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1, Mr.Baljeet Singh got married with respondent No.2, Ms.Jagjeet Kaur on 29.04.2007 according to Sikh rites and customs and out of the said wedlock two sons namely Mankeerat Singh and Balkeerat Singh are born who are in the custody of their mother i.e. respondent No.2, Ms.Jagjeet Kaur. 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 16.08.2016 and their marriage has

also been dissolved by mutual consent by a decree of divorce dated 07.03.2017 granted by the Principal Judge, Family Courts, West, 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.Jagjeet Kaur is present in Court today and has been identified by the Investigating Officer, SI Virender, PS-Vijay Vihar, 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 all dues from the petitioners. She further submits that her sons namely Mankeerat Singh and Balkeerat Singh shall remain in her custody. 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.Baljeet Singh and respondent No.2, Ms.Jagjeet Kaur has already been dissolved by mutual consent by a decree of divorce dated 07.03.2017 and also the custody of minor children

namely Mankeerat Singh and Balkeerat Singh is in the custody of natural guardian i.e. respondent No.2, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.1116/2014, under Sections 498-A/406/34 IPC, registered at Police Station-Kalkaji, Delhi and all proceedings arising of the same are hereby quashed. Parties to remain bound by the terms of Memorandum of Understanding dated 16.08.2016.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 03, 2017/radhika