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

+ CRL.M.C. 1773/2017

ARUN KUMAR YADAV & ORS. Petitioners

Through: Mr.Gaurav Sarawat, proxy for
Mr.Yudhuvir Singh Chauhan, Adv.

versus

STATE & ANR. Respondents

Through: Mr.Kamal Kr. Ghei, APP for State
Inspector Rajeev Yadav, P.S. Inder
Puri
Mr.Sunil Mittal, Sr. Adv. with
Mr.D.S.Vohra, Adv. for R-2.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **12.05.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.45/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Inderpuri, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr.Arun Kumar Yadav got married with respondent No.2, Ms.Saraswati Yadav on 22.11.2004 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 Delhi High Court Mediation & Conciliation Centre and their marriage has also been dissolved

by mutual consent by a decree of divorce dated 20.02.2017 granted by the Judge, Family Courts, Dwarka, New 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.Saraswati Yadav is present in Court today and represented by Mr.Sunil Mittal, Senior. Advocate. Mr.Sunil Mittal, learned senior counsel for respondent No.2 on instructions from the complainant submits that the matter has been amicably settled with the petitioners and nothing remains due against the petitioners. The respondent No.2/complainant, Ms.Saraswati Yadav 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.Arun Kumar Yadav and respondent No.2, Ms.Saraswati Yadav has already been dissolved by mutual consent by a decree of divorce dated 20.02.2017, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR

No.45/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Inderpuri, 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

MAY 12, 2017/radhika