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

+ CRL.M.C. 1894/2017

SURENDER SINGH @ SUNDER Petitioner

Through: Mr.Arun Singh, Adv. with
Mr.Durgesh Pandey, Adv.

versus

STATE & ANR Respondents

Through: Mr.Mukesh Kumar, APP for State
ASI Baljit Singh, P.S. B.H.D. Nagar
Mr.Rajesh Kashyap, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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19.05.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.171/2014, under Sections 307/328 IPC, registered at Police Station Baba Haridass Nagar and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the present FIR has arisen from a matrimonial dispute. He further submits that the brother of petitioner namely Davender got married with the respondent No.2 on 28.11.2010 but due to some temperamental differences misunderstanding has arisen between the parties, which resulted into registration of the said FIR. He further submits that after the registration of the said FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing before the Counselling Cell, Dwarka Court, New Delhi on 02.01.2015. He further submits that the marriage between the brother of petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree

of divorce and that nothing further remains to be adjudicated upon. He further submits that as per the terms of settlement the last instalment amounting to Rs.85,000/- has been paid vide demand draft bearing No.085135, dated 08.05.2017, drawn on Corporation Bank. He also submits that the FIR in question is coming as hurdle in the way of the present petitioner 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 the Investigating Officer, A.S.I. Baljit Singh. The complainant also admits that the matter has been amicably settled with the petitioner. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits 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 brother of petitioner and respondent No.2 has already been dissolved by mutual consent by a decree of divorce, it is in their interest to lead their independent and peaceful life in future. Consequently, the FIR No. 171/2014, under Sections 307/328 IPC, registered at Police Station Baba Haridass Nagar and all proceedings emanating therefrom are hereby quashed. Parties to remain bound by terms of Settlement dated 02.01.2015.

The present petition and the accompanying application are disposed of accordingly. Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 19, 2017/km