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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2311/2017
NARPAT SINGH CHAUHAN & ORS Petitioners
Through: Mr.R.L.Sharma, Adv.

versus

STATE OF NCT OF DELHI & ORS Respondents
Through: Mr.Izhar Ahmad, APP for State
SI Rahul Sagar, PS-Seemapuri
Mr.Anuj Kumar, Adv. for R-2.

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

ORDER
% **30.05.2017**

CRL.M.A.9421/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2311/2017

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.362/2010, under Sections 498-A/406/34 IPC, registered at P.S. Seema Puri and all the subsequent proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 27.12.2007 as per Hindu rites and ceremonies at Pune and out of the said wedlock one female child namely Ananya was born on 18.03.2009, who is right now in custody of respondent No.2. Counsel further submits that

subsequently misunderstanding between the parties has arisen, which resulted into registration of the aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties, which has been reduced into writing before the Delhi Mediation Centre, Karkardooma Courts vide Compromise Deed dated 06.05.2016. He further submits that the marriage between the petitioner No.1 and respondent No.2 has already been dissolved vide judgment and decree dated 08.03.2017 granted by the Principal Judge, Family Courts, Shahdara, Karkardooma Courts, Delhi. He further submits that as per the settlement, the last amount due to be paid to the respondent No.2 is Rs.3,00,000/- and the same has been paid today by way of demand draft bearing No.502125, dated 04.05.2017, drawn on ICICI Bank and that nothing remains to be adjudicated upon further. He also submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioner No.1 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 is present in Court today and has been identified by the Investigating Officer, S.I. Rahul Sagar. The complainant submits that the matter has been amicably settled with the petitioners. She further submits that as per the terms of settlement she has received last instalment of Rs.3,00,000/- by way of aforementioned demand draft. She further submits that she is in custody of the minor child namely Ananya. 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 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 petitioner No.1 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.362/2010, under Sections 498-A/406/34 IPC, registered at P.S. Seema Puri and all proceedings arising out of the same are hereby quashed.

Parties to remain bound by terms of Compromise Deed dated 06.05.2016.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MAY 30, 2017/km