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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2660/2017
JAI PRAKASH CHOPRA @ KALE & ORS

..... Petitioners

Through: Mr.M.K.Upadhyay, Advocate with
the petitioners in person.

versus

STATE & ANR

..... Respondents

Through: Mr.Panna Lal Sharma, APP for State
with SI Amit Pratap Singh, P.S.
Hazrat Nizamuddin, New Delhi.
R-2/complainant in person.
Mr.A.K.Mishra, Advocate for R2
with R2/complainant in person.

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

ORDER
17.07.2017

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CRL.M.A.11059 /2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2660/2017 and CRL.M.A.11058/2017 (stay)

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.67/2015, under Sections 498-A/406/34 IPC, registered at Police Station Hazrat Nizamuddin, New Delhi and all proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the petitioner No.1 Jai Prakash Chopra @ Kale got married with the respondent No.2 Smt. Pooja Saini on 11.04.2010 in Jain Mandir, Bhogal, New Delhi and out of the said wedlock, two daughters, namely, Mehak and Iva were born. Counsel further submits that after the marriage, a misunderstanding had arisen between the parties, which resulted into registration of the aforesaid FIR against the petitioners. Counsel further submits that after the registration of the FIR, the near relatives and the friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Saket Courts, New Delhi vide settlement deed dated 05.10.2015 and in terms of the said settlement, the respondent No.2 along with her two minor daughters has joined her matrimonial home and now she is living together with her husband happily and peacefully. Counsel further submits that since the matter has been amicably settled between the parties and the respondent No.2 has joined her matrimonial home and living together with her husband happily and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the parties, and prays that the FIR and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Smt. Pooja Saini is present in Court in person and has been identified by the Investigating Officer SI Amit Pratap Singh, P.S. Hazrat Nizamuddin, New Delhi and also represented through counsel Mr.A.K.Mishra, Advocate. The respondent No.2 present in person admits the factum of amicable settlement with the petitioners and submits that in terms of the said settlement she along with her two minor daughters has joined at matrimonial home and is now living together with her husband

at her matrimonial home along with her two daughters happily and peacefully and she is left with no grievance against the petitioners, as her husband Jai Prakash Chopra @ Kale (petitioner No.1) is keeping them well and looking after them well till date and she does not want any further action qua against the petitioners and further submits that she has no objection if the FIR in question is quashed.

Looking into the aforesaid facts and circumstances, since the matter has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Saket Courts, New Delhi vide settlement deed dated 05.10.2015 and in terms of the said settlement, the respondent No.2 along with her two minor daughters has joined her matrimonial home and living together with her husband happily and peacefully and nothing further remains to be adjudicated between the parties, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all subsequent proceedings arising from the same.

Consequently, FIR No.67/2015, under Sections 498-A/406/34 IPC, registered at Police Station Hazrat Nizamuddin, New Delhi and all proceedings arising therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement dated 05.10.2015.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

JULY 17, 2017/‘dc’