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

+ CRL.M.C. 4548/2016

SUMIT & ORS.

..... Petitioners

Through: Mr.Rupesh Kumar, Adv. with
Mr.Lakhan Singh, Advocate

versus

STATE & ANR.

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
ASI Pooran Singh, P.S. Gokul Puri

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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23.01.2017

CRL.M.A. 20056/2016

This is an application seeking early hearing of the writ petition.

For the reasons stated in the application, the same is allowed.

Application stands disposed of.

CRL.M.C. 4548/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.178/2012, under Sections 498A/406/34 IPC, registered at Police Station Gokul Puri and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 and respondent No.2 got married on 01.05.2011. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further, which resulted

in registration of the aforesaid FIR. He further submits that consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and the same has been reduced into writing vide Settlement Deed dated 08.09.2015. He also submits that their marriage has also been dissolved by mutual consent by a decree of divorce dated 26.07.2016 granted by the Family Courts.. 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 petitioner No.1 and 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, ASI Pooran Singh, P.S. Gokul Puri. The complainant also admits 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 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 26.07.2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No. 178/2012, under Sections 498A/406/34 IPC,

registered at Police Station Gokul Puri and all proceedings arising of the same are hereby quashed.

Parties to remain bound by the terms of settlement dated 08.09.2015.

The present petition is disposed of accordingly.

The date already fixed i.e. 20.03.2017 stands cancelled.

Copy of this order be given *dasti*.

I.S.MEHTA, J

JANUARY 23, 2017/km