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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2876/2017**
SHRI SHYAM SINGH BISHT

..... Petitioner

Through: Ms.Sangita Bhayana, Advocate with
the petitioner in person.

versus

STATE NCT OF DELHI & ANR Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Karan Singh, P.S. Lodhi Colony,
New Delhi.
Mr.Uttam Das, Advocate for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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27.07.2017

CRL.M.A.11941/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2876/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner for quashing of FIR No.149/2012, under Sections 498-A/406/34 IPC, registered at Police Station Lodhi Colony, New Delhi and all proceedings arising therefrom.

Learned counsel for the petitioner has submitted that the petitioner got married with the respondent No.2 Smt. Manju Bisht on 23.01.2011 as per Hindu rites and customs. Counsel further submits that after the marriage, a misunderstanding had arisen between the parties, which resulted into registration of the aforesaid FIR against the petitioner. 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 vide settlement deed dated 04.08.2016 before the Mediation Centre, Saket Courts, New Delhi and the terms of the said settlement have been acted upon between the parties voluntarily and without any force, pressure or coercion and all due amounts as per settlement have been paid to the respondent No.2 by the petitioner and the last instalment amounting to Rs.2,00,000/- is being paid to her by the petitioner vide demand draft bearing No.000678 dated 04.07.2017 drawn on HDFC Bank, in favour of the respondent No.2. Counsel further submits that the marriage between the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 27.05.2017 passed by the Principal Judge (South-East), Family Courts, Saket, New Delhi 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. Manju Bisht is present in Court in person and has been identified by the Investigating Officer SI Karan Singh, P.S. Lodhi Colony, New Delhi and also represented through counsel Mr.Uttam Das, Advocate.. The respondent No.2 present in person admits the factum of amicable settlement with the petitioner and reducing down of the same in writing vide settlement deed dated 04.08.2016. She further admits that her marriage with the petitioner has already been dissolved vide judgment and decree dated 27.05.2017 passed by the Principal Judge, Family Courts, Saket, New Delhi and nothing further remains to be adjudicated between the parties. She further submits that she

has received all due amounts from the petitioner and she is left with no claim or grievance against the petitioner and 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 vide settlement deed dated 04.08.2016 before the Mediation Centre, Saket Courts, New Delhi and the terms of the said settlement have been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 by the petitioner and nothing further remains to be paid to her and the marriage between the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 27.05.2017 passed by the Principal Judge, Family Courts, Saket, New Delhi 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.149/2012, under Sections 498-A/406/34 IPC, registered at Police Station Lodhi Colony, New Delhi and all proceedings arising therefrom are hereby quashed.

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 27, 2017

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