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

+ CRL.M.C. 3264/2017
JITENDER SINGH @ BABBU & ORS

..... Petitioners

Through: Mr. Subhash Chauhan, Advocate
with the petitioners in person.

versus

THE STATE & ANR

..... Respondent

Through: Mr. Izhar Ahmad for APP for State,
with S.I Kishore Kumar P.S. Patel
Nagar, Delhi.
Mr. R.K Mehra, Advocate for R-2, R-
2 present in person

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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21.08.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.112/2011, under Sections 498-A/406/34 IPC, registered at Police Station-Patel Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Mr. Jintender Singh @ Babbu got married with respondent No.2, Ms. Rinky Rani on 12.10.2006 according to Hindu (Sikh) rites and customs and out of the said wedlock one son namely Master Gaurav was born, who is in the custody of his mother i.e. respondent No.2, Ms. Rinky Rani. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further

but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and their marriage has also been dissolved by mutual consent by a decree of divorce dated 02.02.2017 granted by the Principal Judge, Family Court, Central District, Tis Hazari Courts, Delhi. He further submits that all disputes have been amicably settled between the parties and all payments as per settlement have been made by the petitioners to the respondent no. 2 and the last instalment amounting to Rs. 55000/- (Rs. Fifty Five Thousand only) has also been paid to her vide DD No. 093514 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 petitioners 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, Ms. Rinky Rani is present in Court today and has been identified by the Investigating Officer, SI Kishore Kumar, PS-Patel Nagar, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received all dues from the petitioners. She further submits that her son namely Master Gaurav shall remain in her custody. She further submits that she has no claim or grievance left against the petitioners. 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 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, Mr. Jitender Singh @ Babu and respondent No.2, Ms. Rinky Rani has already been dissolved by mutual consent by a decree of divorce dated 02.02.2017 and also the custody of minor son namely Master Gaurav is in the custody of natural guardian i.e. respondent No.2, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.112/2011, under Sections 498-A/406/34 IPC, registered at Police Station-Patel Nagar, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

AUGUST 21, 2017
RV, DC