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

+ CRL.M.C. 3003/2017

YOGESH KUMAR ANAND

..... Petitioner

Through: Mr.S.K.Gupta, Mr.Abhishek Sharma
and Mr.Mriyank Shankar, Advocates.

versus

STATE OF DELHI & ORS

..... Respondents

Through: Mr.Panna Lal Sharma, APP for State
with ASI Kulvinder Singh, P.S. Neb
Sarai, New Delhi.
Mr.Umesh K. Burnwal, Advocate for
R2 with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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03.08.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.191/2016, under Sections 498-A/406/34 IPC, registered at Police Station Neb Sarai, New Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner may be permitted to amend the memo of parties. The prayer is allowed. Amended memo of parties is taken on record.

Learned counsel for the petitioner has submitted that the petitioner No.1 Yogesh Kumar Anand got married with respondent No.2, Ms.Seema on 12.05.2014 according to Hindu rites and customs. He further submits that after the marriage a misunderstanding has arisen between the parties which resulted into the registration of the aforesaid FIR against the petitioners. Counsel further submits that after the registration of the FIR, the near

relatives and friends intervened and the matter in dispute has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Saket District Court, New Delhi on 21.12.2016. Counsel further submits that the said settlement entered into between the parties is voluntary and without any force, pressure or coercion and the same has been acted upon between the parties and all due amounts as per the settlement have been paid by the petitioners to the respondent No.2 and the last instalment amounting to Rs.4 lacs has also been paid to her vide demand draft bearing No.010647 dated 28.07.2017 drawn on HDFC Bank and nothing further remains to be paid to her. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 11.07.2017 passed by the Principal Judge, Family Court (South), 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 petitioners and submits that the FIR and all subsequent proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms.Seema is present in Court today and has been identified by ASI Kulwinder Singh, P.S. Neb Sarai, New Delhi and also represented by her counsel. The respondent No.2/complainant admits the factum of amicable settlement with the petitioners and execution of settlement agreement before the Mediation Centre, Saket Courts, New Delhi on 21.12.2016. She further admits that in terms of said settlement she has received all due amounts from the petitioners and nothing further remains to be paid to her. She further admits that her marriage with the petitioner No.1 has already been dissolved vide

judgment and decree dated 11.07.2017 passed by the Principal Judge, Family Court (South), Saket, New Delhi and nothing further remains to be adjudicated between them and she has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter in dispute has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Saket District Court, Delhi on 21.12.2016 and the same has been acted upon between the parties and all due amounts as per the settlement have been paid by the petitioners to the respondent No.2 and nothing further remains to be paid to her and the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 11.07.2017 passed by the Principal Judge, Family Court (South), Saket, New Delhi and nothing further remains to be adjudicated between the parties, to have peace in the life of both the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all proceedings arising therefrom.

Consequently, FIR No.191/2016, under Sections 498-A/406/34 IPC, registered at Police Station Neb Sarai, New Delhi and all the proceedings emanating therefrom are hereby quashed. Parties shall remain bound by the settlement agreement dated 21.12.2016.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 03, 2017

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