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

+ CRL.M.C. 4103/2017

AMIT

..... Petitioner

Through: Mr. Joginder Singh with
Mr. Ashutosh Dubey & Mr. Rajender
S., Advocates.

versus

STATE & ORS

..... Respondents

Through: Mr. Raghuvinder Varma, APP for
State with SI Kuldeep Singh, P.S.
Sarojani Nagar.
Ms. Swaty Singh Malik with
Ms. Yaashna Thakran, Advocates for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

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10.10.2017

CRL.M.A.16470/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.A.16471/2017

In view of the reasoning stated in the application, delay in re-filing the petition is condoned.

The application stands disposed of.

CRL.M.C. 4103/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.470/2015, under Sections 498-A/406 IPC, registered at Police Station

Sarojni Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner Mr. Amit got married with respondent No.2, Ms. Poonam on 14.11.2013 according to Hindu rites and customs. He further submits that temperamental differences and misunderstanding arose between them resulting in the registration of FIR No. No.470/2015, under Sections 498-A/406 IPC but consequently with the intervention of near relatives and close friends, the matter has been amicably settled and the same has been reduced down in writing dated 5th May, 2016 before the Mediation Centre, Patiala House Courts, New Delhi. Learned counsel for the petitioner has further submitted that the said settlement is acted upon between the parties, namely, Mr. Amit and Ms. Poonam without pressure and coercion and further submitted that the marriage of petitioner and respondent No.2 has also been dissolved by mutual consent by a decree of divorce dated 14.03.2017 granted by the Principal Judge, Family Court, Patiala House Courts, Delhi. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon. The settled amount and the last instalment amounting to Rs.50,000/- has been paid to the respondent No.2 today in Court vide Demand Draft No. 332609 dated 9.10.2017 drawn on Bank of Baroda, R.K. Puram Branch and nothing remains to be paid further. Learned counsel submits that the FIR in question is coming as hurdle in the way of the present petitioner. He further submits that the petitioner 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. Poonam is present in Court today and has been identified by the Investigating Officer, SI Kuldeep Singh, PS-Sarojani Nagar, Delhi. The respondent No.2 also admits that the matter has been amicably settled with the petitioner and as per the terms of settlement dated 5.5.2016, she has already received all dues from the petitioner. She further submits that she has no claim or grievance left against the petitioner. 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 dated 14.3.2017 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 vide settlement dated 5.5.2016 and also the marriage between the petitioner No. 1 Mr. Amit and respondent No.2 Ms.Poonam has already been dissolved by mutual consent by a decree of divorce dated 14.03.2017, it is in their interest to lead their independent and peaceful life in future, consequently, FIR No.470/2015, under Sections 498-A/406 IPC, registered at Police Station Sarojni Nagar, Delhi and all the proceedings emanating therefrom are quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

OCTOBER 10, 2017/srb