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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3363/2017**
SUYASH BHATIA & ORS

..... Petitioners

Through: Mr. S.S. Bhatia, with Mr. Naveen
Arya, Advocates with petitioners
present in person.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Through: Mr. Raghuvinder Varma APP for
State, with S.I. Naveen P.S- Rani
Bagh, Delhi.
Mr. Gunjan Kathpalia, Advocate for
R2 with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **25.08.2017**

CRL.M.A.13740/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3363/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.163/2016, under Sections 498-A/406/34 IPC, registered at Police Station-Rani Bagh, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr. Suyash Bhatia got married with respondent No.2, Ms. Payal on 02.02.2014

at Delhi according to Hindu rites and customs. Counsel further submits that subsequently 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 has been amicably settled between the parties and the same has been reduced into writing on 24.09.2016 and the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 27th May, 2017 passed by the Judge, Family Court (North-West), Rohini Courts, Delhi in HMA No.836/2017. Counsel further submits that nothing further remains to be adjudicated between the parties, however, the FIR in question is coming as hurdle in the personal life of the petitioners and prays that the FIR and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms. Payal is present in Court today and has been identified by the Investigating Officer, SI Naveen Kumar, PS-Rani Bagh, 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 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 her marriage with the petitioner No.1 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. Suyash Bhatia and respondent

No.2, Ms. Payal has already been dissolved by mutual consent by a decree of divorce dated 27.05.2017. It is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.163/2016, under Sections 498-A/406/34 IPC, registered at Police Station-Rani Bagh, Delhi and all proceedings arising of the same are hereby quashed. Parties shall be bound the settlement dated 24.09.2016.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

AUGUST 25, 2017

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