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

+ CRL.M.C. 3454/2017

MUKESH KUMAR

..... Petitioner

Through: Mr. Sanjay Madan, Advocate with
petitioner present in person

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Izhar Ahmad APP for State, with
ASI Gajender P.S- CAW Cell, Nanak
Pura, Delhi, with R-2 present in
person

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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30.08.2017

CRL.M.A.14091/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3454/2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioner for quashing of FIR No.70/2010, under Sections 498-A/406/34 IPC, registered at Police Station- Nanak Pura, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner, Mr.Mukesh Kumar and the respondent No.2/complainant, Mrs.Sumitra was solemnized on 07.05.2009 according to Hindu rites and

customs and out of the said wedlock, one son namely Master Shubham was born on 30.12.2011. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted into the registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties. Counsel further submits that the respondent No.2 is living with the petitioner alongwith her child and they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of both the parties and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Mrs.Sumitra is present in Court today and has been identified by the Investigating Officer, ASI Gajender P.S.- Nanak Pura, Delhi and the respondent no.2 admits the settlement deed between the parties dated 23.03.2015 and she has joined her husband/petitioner with her child. She further submits that she is living happily and peacefully with her husband without any kind of complaint or grievance. She further submits that the said settlement arrived at with the petitioner is voluntary and without any force, pressure or coercion and she does not want any further action qua against her husband and 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 in terms of the said settlement, the respondent No.2/complainant has joined her matrimonial home along with her child and now living with the petitioner

happily and peacefully and nothing further remains to be adjudicated between them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same. Consequently, FIR No.70/2010, under Sections 498-A/406/34 IPC, registered at Police Station-Nanak Pura, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 30, 2017/RV