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

+ CRL.M.C. 3536/2017

VINOD GABA & ORS

..... Petitioners

Through: Mr. Vivek Sharma, Advocate with
petitioner present in person.

versus

STATE & ANR

..... Respondents

Through: Mr. Kamal Kr. Ghei APP for State,
with ASI Ranjender P.S-Alipur,
R-2/Complainant present in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

04.09.2017

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This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.119/2005, under Sections 498-A/406/34 IPC, registered at Police Station-Alipur, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner No.1, Mr.Vinod Gaba and the respondent No.2/complainant Mrs.Seema Gaba was solemnized in the year 1996 according to Hindu rites and customs and out of the said wedlock, two children were born. 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 children at her matrimonial home for the last nine years and they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties 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.Seema Gaba is present in Court today and has been identified by the Investigating Officer, ASI Gajender P.S-Alipur. Respondent No.2 admits that settlement reached between the parties dated 03.12.2008. The complainant admits that the matter has been amicably settled with the petitioners and she has joined her husband/petitioner with her children. 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 petitioners 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 children 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.119/2005, under Sections 498-A/406/34 IPC, registered at Police Station-Alipur, 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

SEPTEMBER 04, 2017

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