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

+ CRL.M.C. 3553/2017

ABHISHEK DUTT SHARMA & ORS

..... Petitioners

Through: Mr.Sudhir Shokeen, Advocate.

Versus

STATE & ANR

..... Respondents

Through: Mr.Izhar Ahma, APP for State with
ASI Sunita, P.S.- Nanak Pura.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **04.09.2017**

CRL.M.A. 14466/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3553/2017 & CRL.M.A. 14465/2017 (Stay)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.74/2016, under Sections 498-A/406/34 IPC, registered at Police Station- Nanak Pura, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1, Mr.Abhishek Dutt Sharma got married with respondent No.2, Ms.Neha on 13.04.2009 according to Hindu rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further but

consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences before the Mediation Centre, Tiz Hazari Courts, Delhi on 17.08.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 17.04.2017 passed by the Principal Judge, Family Court (West), Tis Hazari Court, Delhi . He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners 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.Neha is present in Court today and has been identified by the Investigating Officer, ASI Sunita, P.S.- Nanak Pura, Delhi. The complainant also admits that the matter has been amicably settled with 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 their marriage 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.Abhishek Dutt Sharma and respondent No.2, Ms.Neha has already been dissolved by mutual consent by a decree of divorce dated 17.04.2017 and it is in their interest to lead their

independent and peaceful life in future, consequently, the FIR No.74/2016, under Sections 498-A/406/34 IPC, registered at Police Station-Nanak Pura, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

SEPTEMBER 04, 2017

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