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

+ CRL.M.C. 3946/2017

BALVINDER SINGH & ORS

..... Petitioners

Through: Mr.Mahesh Kumar Gautam, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Mr.Kamal Kr. Ghei, APP for State
with ASI Ram Lal PS-Tilak Nagar.
Mr.Baljinder Sharma, Adv. for R-2
R-2 present in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **22.09.2017**

CRL.M.A.15915/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3946/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.321/2013, under Sections 498-A/406/34 IPC, registered at Police Station-Tilak Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Mr.Balvinder Singh got married with respondent No.2, Ms.Baljinder Kaur on 01.12.2010 according to Sikh rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between

them resulting into the registration of FIR No.321/2013 under Sections 498-A/406/34 IPC, registered at Police Station-Tilak Nagar, Delhi. He further submits that after the registration of the aforesaid FIR the near relatives and close friends intervened and the matter is amicably settled before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 24.04.2017 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 08.05.2017 granted by the Principal Judge, Family Court, West, Tis Hazari Courts, 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.Baljinder Kaur is present in Court today and has been identified by the Investigating Officer, ASI Ram Lal PS-Tilak Nagar. 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 and the last instalment of Rs. 3,00,000/- (Rupees Three Lakhs only) has been received by her vide demand drafts DD No. 434680 dated 20.09.2017 of Rs. 1,00,000/- (Rupees One Lakh only), DD No. 055171 dated 20.09.2017 of Rs. 1,00,000/- (Rupees One Lakh only), DD No.055172 dated 21.09.2017 of Rs. 1,00,000/- (Rupees One Lakh only) respectively . 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.Balvinder Singh and respondent No.2, Ms.Baljinder Kaur has already been dissolved by mutual consent by a decree of divorce dated 08.05.2017 and it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.321/2013, under Sections 498-A/406/34 IPC, registered at Police Station-Tilak Nagar, 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 22, 2017

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