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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4194/2017
MANOJ KUMAR

..... Petitioner

Through: Mr. Anil Payal, Advocate with the
petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Mr. Izhar Ahmad, APP for State.
R2/complainant in person.
ASI Kewal Kishan, PS Mansarovar
Park, Delhi.
Mr. RPS Bhatti, Adv. for
complainant.

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

% **ORDER**
13.10.2017

Crl.M.A. No.M.A.No.16816/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4194/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner for quashing of FIR No.233/2017, under Sections 308 IPC registered at Police Station Mansarovar Park, Shahdara, Delhi and all

proceedings arising therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner, Mr. Manoj Kumar and the respondent No.2/complainant Mrs.Anshu was solemnized on 11.02.2000 according to Hindu rites and customs and out of the said wedlock, two children are 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 along with children at H.No. 1/3470, Ramnagar Extension, Shahdara, Delhi 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. Anshu is present in Court today and has been identified by the Investigating Officer, ASI Kewal Kishan. The complainant admits that the matter has been amicably settled with the petitioner and she has joined her husband/petitioner with her children. She further submits that she is living happily and peacefully with her husband at H.No. 1/3470, Ramnagar Extension, Shahdara, Delhi 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 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.233/2017, under Sections 308 IPC registered at Police Station Mansarovar Park, Shahdra, Delhi and all 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

OCTOBER 13, 2017

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