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

+ **CRL.M.C. 804/2018**

RAVI SHANKAR & ORS

..... Petitioners

Through Mr. Vinod Kumar, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ORS Respondents

Through Mr. Arun Kumar Sharma, APP for the State.

Mr. T. C. Bhardwaj, Advocate for respondent No.2 with respondent No.2 in person.

SI Ranbir Singh, PS Nangloi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.02.2018

Crl.M.A.2926/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 804/2018

1. The petitioners seek quashing of FIR No.617/2003 under Sections 498A/406/34 IPC, Police Station Kirti Nagar.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2.
3. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 03.09.2016 through the process of mediation, held at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 30.11.2017.

4. As per the settlement, the custody of the minor girl child is with the respondent No.2 – the mother. The petitioners undertake that they shall abide by the terms of settlement and not claim any rights contrary to the terms of settlement. The undertaking is accepted.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

6. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 30.11.2017, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

7. In view of the above, FIR No.617/2003 under Sections 498A/406/34 IPC, Police Station Kirti Nagar and the consequent proceedings emanating there from are quashed.

8. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 16, 2018
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