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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3916/2018 & C.M. No.29310/2018 (for exemption)

RAM LAL & OTHERS

..... Petitioner

Through: Ms.Tanya Kathuria & Mr.Raj Kumar,
Advs.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Through: Mr.Raghuvinder Verma, APP with
ASI Sukhda, PS Uttam Nagar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **23.10.2018**

1. Vide the present petition, the petitioners seeks quashing of FIR No.1368/2015 under Sections 498A/406 IPC registered at PS Uttam Nagar, Delhi and all the consequential proceedings emanating from the said FIR.

2. Learned counsel for the petitioners submits that the marriage of the petitioner no.1 was solemnized with the respondent no.2/complainant on 06.05.2012, but due to temperamental differences, the said marriage was not smooth due to which the respondent no.2 had made a complaint against the petitioner resulting in the aforesaid FIR. She submits that the parties have now resolved their differences and a settlement has been arrived at between the parties at before the Principal Judge, Family Court, North East, Vishwas Nagar, Delhi on 20.04.2017, whereby the petitioner no.1 and respondent no.2 have agreed to dissolve their marriage by mutual consent. She further submits that pursuant to the aforesaid settlement, the marriage between the petitioner and the respondent no.2 already

stands dissolved by a decree of divorce passed on 20.12.2017.

3. The petitioners as also respondent no.2 are present in Court and identified by the Investigating Officer.

4. I have interacted with the respondent no.2 who states that she has no objection to the FIR being quashed and in fact prays that to maintain harmony, she also desires the FIR and consequential proceedings to be quashed.

5. Keeping in view the aforesaid submissions as also the fact that the FIR was a consequence of marital discord between the petitioner no.1 and respondent no.2, I am of the view that no useful purpose will be served in continuing with the criminal proceedings.

6. Accordingly, in the interest of justice, the FIR No.1368/2015 under Sections 498A/406 IPC registered at PS Uttam Nagar, Delhi and all consequential proceedings emanating therefrom, are quashed subject to the petitioners paying a sum of Rs.5,000/- each as costs to the Delhi High Court Staff Welfare Fund. The costs be deposited by the petitioners within two weeks. The receipt of deposit of costs will be given to the Investigating Officer and filed with the Registry.

7. The petition is disposed of along with the pending application.

REKHA PALLI, J

OCTOBER 23, 2018/gm