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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5975/2019**
SANJEEV ARORA Petitioner

Through: Mr. Mohit Auluck, Advocate

versus

STATE & ANR. Respondents

Through: Ms. Aashaa Tiwari, APP with
WSI Surekha, PS:Saket, Delhi
Mr. Adarsh Chamoli, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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25.11.2019

Crl.M.A.40983/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C.5975/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2.
2. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.288/2018, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Malviya Nagar, Delhi and the proceedings emanating therefrom.
3. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have settled their

disputes on their own free will, without any force or coercion vide Memorandum of Understanding (MoU) dated 30.9.2019. It is also submitted that the first motion for divorce already stands allowed under Section 13B(1) of the Hindu Marriage Act, 1955.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter is settled, she has no objection to the petition being allowed and the FIR being quashed. To this effect, respondent No.2 has filed her affidavit.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the first motion for divorce already complete, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.288/2018, under Sections 498-A/406 of the IPC, registered at P.S.: Malviya Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. The petitioner and respondent No.2 as well as their respective counsel undertake before this Court that the petitioner and respondent No.2 shall remain bound by the terms and conditions of the MoU dated

30.9.2019.

NOVEMBER 25, 2019
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CHANDER SHEKHAR, J