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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 477/2019**

VIPIN SHARMA & ORS. Petitioners

Through: Ms. Shahana Parveen, Advocate.

versus

STATE & ANR. Respondents

Through: Mr. Sanjay Lao, ASC for the State with ASI
Subhash Chand, PS-Rohini (South)

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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05.04.2019

Crl. M. A. No. 3369/2019 (Exemption)

Exemption allowed, subject to just exception.

Application stands disposed of.

W.P.(CRL) 477/2019

The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.01/2018 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – South Rohini, Delhi on the ground that a MoU/settlement has been arrived at between the parties in the matter.

Respondent No.2 is present in Court and is identified by the Investigating Officer, who is also present in Court today. She states that she has settled the matter with the petitioners with his own free will and choice without any threat, pressure and coercion in terms of Memorandum of Understanding dated 25.04.2018. She further states that she has received the entire amount Rs.2,00,000/- (Rupees Two Lac Only) from the petitioners

towards full and final settlement and she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners are also present in Court today.

Learned counsel for the petitioners submits that second motion of divorce is over and petitioner No. 1/husband and respondent No. 2/wife have been granted divorce vide order dated 12.03.2019 passed by the Judge Family Court, North-West, Rohini, Delhi.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question. Consequently, No.01/2018 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – South Rohini, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

APRIL 05, 2019 / gr

Petitioner No. 1

Respondent No. 2

Petitioner No. 2

Petitioner No. 3