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

+ **CRL.M.C. 3424/2019**

NITIN SAINI & ORS.

..... Petitioners

Through: Mr. Raj Kumar, Mr.Pavitra
Mohan Sharma & Mr. Arun
Sharma, Advocates

versus

STATE & ANR.

..... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Vijay Kumar, PS:Sadar
Bazar, Delhi
Mr. R.K. Tarun & Mr. Sumit
Kumar, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **18.07.2019**

CRL.M.A.31291 /2019

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 3424/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.255/2015, under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sadar Bazar, Delhi and the proceedings emanating therefrom.

2. The petitioners 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 a joint statement dated 27.9.2018 recorded before the Principal Judge, Family Court, Tis Hazari Courts, Delhi. It is also submitted that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 27.9.2018.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since nothing is due and payable to her from the petitioners, she has no objection to the petition being allowed and the FIR being quashed.

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

5. In view of the aforesaid circumstances and the settlement arrived at between the parties, 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.255/2015, under Sections 498A/406/34 of the IPC, registered at P.S.: Sadar Bazar, Delhi and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 18, 2019/tp