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

Date of decision: 05.09.2019

+ CRL.M.C. 4437/2019

CHANDAN KUMAR @ BUNTY & ORS Petitioners

Through Mr.R.A. Khan, Adv. with Mr.Sunil
Adv.

versus

THE STATE & ANR Respondents

Through Mr. Izhar Ahmad, APP for State.
SI Manish PS R.K. Puram.
Mr.J.K. Mishra, Adv. for complainant
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

Crl. M.A. 35116/2019

1. Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.C.4437/2019

2. Vide the present petition, the petitioner seeks quashing of FIR
No.432/2009 registered at Police Station R.K. Puram instituted for the

offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings arising therefrom.

3. Notice issued.

4. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

5. The petitioner no.1 and respondent no.2 got married on 19.01.2008 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 05.01.2009.

6. The petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide MOU dated 06.08.2019 and settled all their disputes amicably.

7. The complainant/respondent no.2 is present in person with her counsel and has been identified by SI Manish of Police Station R. K. Puram and submits that matter has been settled and she does not wish to prosecute the matter any further.

8. Though the present petition is filed on behalf of 4 accused persons/petitioners out of 6 accused, however, since the dispute is

matrimonial dispute and respondent no.2 has no objection if the present FIR is quashed even against rest of the two accused persons.

9. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

10. For the reasons afore-recorded, the FIR No.432/2009 registered at Police Station R.K. Puram instituted for the offences punishable under Sections 498A/406/509 of the IPC and consequent proceedings therefrom are quashed.

11. The petition is allowed accordingly.

12. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 05, 2019

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