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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 4501/2019

SHRI KULWANT SINGH & ORS Petitioners

Through: Mr. Kumar Vaibhav, Advocate

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Mukesh Kumar, APP with
SI Ankur, PS:Tilak Nagar,
Delhi

Mr. Iqbal Singh, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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06.11.2019

CRL.M.A.35355/2019 (for exemption)

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

CRL.M.C.4501/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.792/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom.

3. 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 before the Counselling Cell, Family Court, Principal Judge, Tis Hazari Courts, Delhi on 19.2.2019. 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 3.6.2019.

4. Respondent No.2, who is present in Court with her mother, 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.

5. 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.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 792/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 06, 2019

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