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

Date of decision: 25.11.2019

+ CRL.M.C. 5976/2019 & CRL.M.A. 40984/2019-Stay

SHAMAIT KUMAR TOMAR & ANR. Petitioners

Through: Mr. Dhananjai Rana, Mr. Vipin
Yadav, Advocate for petitioner No.1
and 2

versus

STATE & ANR.

..... Respondent

Through: Mr. K.K. Ghai, Additional Public
Prosecutor for the State with ASI
Dharambir Sharma, PS Gandhi
Nagar, Delhi
Respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

CRL.M.A. 40985/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.A. 40986/2019

3. In view of the reasons stated in the application, the application is
allowed and disposed of.

CRL.M.C 5976/2019

1. Vide the present petition, the petitioner seeks direction thereby quashing FIR No. 301/2016 dated 15.07.2016, registered at PS Gandhi Nagar and consequent proceedings arising therefrom.
4. Notice issued.
5. Notice is accepted by learned APP for the State and with the consent of the counsel for the parties, the present petition is taken up for final disposal.
6. The petitioner no.1 and respondent no.2 got married on 28.05.2013 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 07.10.2015
7. The petitioner and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide memorandum of understanding dated 10.08.2019 and settled all their disputes amicably.
8. The complainant is present in person with her counsel and has been identified by SI Dharambir Singh of Police Station PS Gandhi Nagar and submits that matter has been settled and she does not wish to prosecute the matter any further.

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, FIR No. 301/2016 dated 15.07.2016, registered at PS Gandhi Nagar and consequent proceedings emanating therefrom are quashed.

11. The petition is allowed accordingly.

12. Pending application also stands disposed of.

13. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 25, 2019
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