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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1985/2018 & CRL.M.A.7043/2018**
ALOK KUMAR SHRIVASTAVA Petitioner
Through: Ms. Shruti Srivastava,
Advocate

versus

STATE OF NCT DELHI Respondent
Through: Mr. Ashish Dutta, APP with SI
Rajender Singh, PS:Malviya
Nagar, New Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **05.04.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.759/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Malviya Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioner and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Deed of Settlement dated 5.1.2018. It is also submitted that the marriage between the petitioner 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. Learned counsel for the parties also submitted that the proceedings dated

16.11.2017 also demonstrate that the parties have settled the matter.

3. Respondent No.2, who is present in Court along with her father, has reiterated the aforesaid facts and submitted that nothing is due from the petitioner and in view of the settlement arrived at between them, 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 petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

5. 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. 759/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Malviya Nagar, and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

APRIL 05, 2019

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