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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6300/2018**

NITIN BHATIA & ORS.

..... Petitioners

Through: Mr. Nitin Jain, Ns. Anisha Jain
& Ms. Isha Jaiswal, Advocates

versus

STATE & ANR.

..... Respondents

Through: Mr.Panna Lal Sharma, APP
with ASI Geeta, PS:CWC,
Nanakpura, Delhi
Ms. Mamta Mayer & Mr .K.K.
Krishna Prabhu, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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10.07.2019

CRL.M.A.49427/2018

In view of the cause submitted in the application, delay in re-filing the petition is condoned. The application is disposed of.

CRL.M.C. 6300/2018

1. Affidavit on behalf of respondent No.2 has been filed.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.113/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Nanakpura, 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 vide Memorandum of Understanding-cum-Settlement Deed, dated 4.1.2017. 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 16.11.2017.

4. Respondent No.2, who is present in Court with her father, 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. 113/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Nanakpura, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 10, 2019

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