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

+ **CRL.M.C. 3292/2018**

AMIT PALIWAL

..... Petitioner

Through Mr. Malkhan Singh, Advocate
with the petitioner in person

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Through Mr. Ashish Dutta, APP for the
State
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **16.07.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 326/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Burari, Delhi and the proceedings emanating therefrom.

3. The petitioner and his 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 a Memorandum of Mutual Understanding-cum-Settlement dated 9th February, 2016. 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 30th September, 2016.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since nothing is due and payable to her from the petitioner, 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 petitioner 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, of FIR No. 326/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Burari, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 16, 2019/rr