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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 4392/2018

SH. KAUSHAL KANT MISHRA & ANR. Petitioners

Through: Mr. Atin Shankar Rastogi,
Advocate

versus

STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Through: Mr. Amit Chaddha, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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31.07.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.159/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), read with Section 4 of the Dowry Prohibition Act, 1961 (DP Act), registered at P.S.: GTB Enclave, Delhi and the proceedings emanating therefrom.

2. The petitioners 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 before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 16.12.2017. 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 27.8.2018.

3. 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 petitioners, 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 petitioners 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. 159/2012, under Sections 498-A/406/34 of the IPC, read with Section 4 of the DP Act, registered at P.S.: GTB Enclave, Delhi and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 31, 2019

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