

\$~27

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4594/2018

SHRI RAJEEV BAGHEL & ORS. Petitioners
Through: Mr. V.S. Dhangar, Advocate

versus

THE STATE & ANR. Respondents
Through: Mr. Ashok Kumar Garg, APP
with SI Ramesh Kumar,
PS:South Rohini, Delhi
Mr. Arun Bhusahn & Ms.
Divya, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **14.10.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.127/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: South Rohini, Delhi and the proceedings emanating therefrom.

2. 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 dated 7.6.2017. 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 31.1.2018.

3. Respondent No.2, who is present in Court with her father, has reiterated the aforesaid facts and submitted that since the matter stands settled and 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. 127/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: South Rohini, Delhi and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 14, 2019

tp