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

+ **CRL.M.C. 5224/2018**

DEVENDER KUMAR Petitioner

Through: Mr. Sanjay Kumar, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Mukesh Kumar, APP for the State with
IO (appearance not given).

Mr. Shivam Garg, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **05.09.2019**

Crl. M.A. No.34104/2018 (for exemption)

Allowed, subject to all just exceptions. The application stands disposed of.

Crl. M.C. No.5224/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.518/2012, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sangam Vihar, Delhi and the proceedings emanating therefrom.

2. The petitioner 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 before the Counselling Cell, Principal Judge, South Family Court, Saket Court Complex,

New Delhi vide Settlement dated 17.03.2017.

3. 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 20.02.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has already received the entire settlement amount and 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. Affidavit of respondent No.2 in this regard is already on the record.

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, FIR No.518/2012, under Sections 498-A/406 of the IPC, registered at P.S.: Sangam Vihar, New Delhi and the proceedings emanating therefrom are quashed.

7. The petition is disposed of in the above terms.

CHANDER SHEKHAR, J.

SEPTEMBER 05, 2019/'AA'