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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6083/2018

KANWALJEET SINGH

..... Petitioner

Through: Mr. S.P. Sharma & Ms. Rekha
Sharma, Advocates

versus

STATE OF NCT DELHI & ANR

..... Respondents

Through: Mr. Ashish Dutta, APP with SI
Pradeep, PS: Begumpur, Delhi
Mr. Ashish Goel & Mr. Alok
Kumar, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.04.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0262/2016, under Section 377 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Begumpur, 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 learned Judge, Family Court (North-West), Rohini, Delhi on 16.3.2018. 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 18.8.2018.

3. Learned counsel for the petitioner submitted that another FIR, being 157/2017, under Sections 498-A/406/34 of the IPC already stands quashed vide order dated 18.2.2019 passed in Crl.M.C. No.915/2019.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter stands settled, 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, FIR No. 0262/2016, under Section 377 of the IPC, registered at P.S.: Begumpur, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 26, 2019

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