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

+ **W.P.(CRL) 479/2020**

RAHUL DEV & ORS. Petitioners

Through: Mr R. L. Sarot, Advocate.

versus

STATE & ANR. Respondents

Through: Mr Karan Jeet Rai Sharma, Advocate
for Mr Sanjay Lao, ASC for State.
ASI Shyam Lal, PS Sangam Vihar.
Mr Pankaj K. Sharma, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.02.2020**

CRL.M.A. 3584/2020

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 479/2020

3. The petitioner has filed the present petition, *inter alia*, praying that the FIR bearing No. 0259/2018, under Sections 498A/406/34 of the IPC registered with PS Sangam Vihar and all proceedings emanating therefrom, be quashed.
4. The said FIR was registered at the instance of respondent no.2. Respondent no. 2 is present in Court and is identified by the Investigating Officer.

5. She states that she has filed the said FIR in view of matrimonial disputes that had arisen between her and her husband (petitioner no.1). She states that she and her husband have since resolved all their disputes by a Settlement Agreement dated 04.12.2019 and she has joined her husband in her matrimonial house and is now residing with her husband in a rented accommodation in Ghaziabad, along with their minor child. She states that her husband has also agreed to pay the entire rent for the said property.

6. It has been explained to respondent no.2 that if, in any event, disputes arise in the future and her husband does not honour the commitment made in the said Settlement Agreement, she would not be in a position to revive the FIR in question.

7. The learned counsel appearing for respondent no.2 also states that he has conferred with respondent no.2 and also explained the same to her. Respondent no.2 states that she fully understands the implication of seeking to withdraw the FIR in question.

8. She states that since she had resolved all her matrimonial disputes and therefore, she does not wish to pursue the said FIR.

9. The petitioners are present in Court and are identified by their counsel and state that they have no grievance against respondent no.2 and pray that the FIR in question be quashed.

10. In view of the statements made by the concerned parties, this Court considers it apposite to allow the present petition.

11. Accordingly, the FIR bearing no. 0259/2018, under Sections

498A/406/34 of the IPC registered with PS Sangam Vihar and all proceedings emanating therefrom, are quashed.

12. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgement of their statements recorded herein.

VIBHU BAKHRU, J

FEBRUARY 17, 2020
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