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

+ **CRL.M.C. 1409/2020**

CAPT. GOPAL BHALLA

..... Petitioner

Through : Ms.Shreya Singhal, Advocate with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through : Mr.Amit Ahlawat, Addl. PP for the
State with ASI Yashpal Singh.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **13.03.2020**

CRL.M.A.No.5422/2020

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 1409/2020

Petitioner filed this petition under Section 482 Criminal Procedure Code for quashing of the FIR No.156/2016 under Section 406/498A/377 Indian Penal Code registered at police station CWC, Nanakpura, South-West District, Delhi against him and the proceedings emanating therefrom.

The petitioner/husband and complainant/ respondent No.2/wife have settled their disputes amicably per Settlement Agreement(s) dated 14.10.2016, 13.09.2019, and 02.12.2019 annexed with petition. Respondent No.2 has joined the matrimonial house with petitioner No.1 and they are living happily as a couple.

The complainant/respondent No.2 is present has been duly

identified by the Investigating Officer, states the matter has been settled with the petitioner and she has joined the company of petitioner. The affidavit of respondent No.2 is at pages No.24-25 and she has no objection if the FIR is quashed against the petitioner.

Though the FIR is also under Section 377 IPC, but such allegations are against petitioner - husband only and as matrimonial dispute is settled, there is no justification to proceed with Section 377 IPC against petitioner / husband since complainant has joined his company.

Accordingly, the petition is allowed. Consequently, FIR No.156/2016 under Section 406/498A/377 Indian Penal Code registered at police station CWC Nanakpura, South-West District, Delhi and the proceedings emanating therefrom is quashed. No order as to costs. Order *dasti*.

YOGESH KHANNA, J.

MARCH 13, 2020

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