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

+ **CRL.M.C. 1767/2020**

ARUN & ORS.

..... Petitioners

Through : Mr.Vikas Kumar Verma and
Mr.Manish Jain, Advocates.

versus

STATE & ANR.

..... Respondents

Through: Mr.M.S.Oberoi, APP for the State
with ASI Arun Singh, PS Wazriabad,
Delhi.

Mr.Piyush Sharma, Advocate for
R2/complainant with complainant.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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08.09.2020

1. The hearing has been conducted through Video Conferencing.

Crl.M.A.No.12353/2020

2. Exemption allowed, subject to all just exceptions.

3. The application stands disposed of.

CRL.M.C. 1767/2020 & Crl.M.A.No.12354/2020

4. Petitioners filed this petition under Section 482 Criminal Procedure Code for quashing of the FIR No.102/2019 under Section 406/498A/34 Indian Penal Code registered at police station Wazirabad, Delhi against them and the proceedings emanating therefrom.

5. The petitioner No.1-husband and complainant/ respondent No.2-wife were married on 17.02.2018 and but due to differences are living separately from 20.05.2018. They have already obtained the divorce by mutual consent under The Hindu Marriage Act, 1955 on 06.02.2020.

6. The complaint case under Section 156(3) Cr.P.C as also under Section 12 of the DV Act have since been withdrawn by the respondent

No.2 on 17.12.2019 and 16.01.2020 respectively.

7. Both the parties have settled the disputes for a sum of Rs.3.00 lacs; out of which Rs.1.00 lac each were paid at the time of grant of mutual divorce; the remaining Rs.1.00 lac is being paid today to the respondent No.2 vide demand draft No.725604 for Rs.1.00 lac drawn on Bank of Maharashtra, Mukherjee Nagar, Delhi.

8. The complainant/respondent No.2 is present has been duly identified by the Investigating Officer, states the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. The learned APP for the State has also no objection, if this petition is allowed.

9. Considering the above settlement between the parties, there is no justification to proceed with the criminal case as complainant has settled all the disputes and has received the settled amount from the petitioners.

10. Accordingly, the petition is allowed. Consequently, FIR No.102/2019 under Section 406/498A/34 Indian Penal Code registered at police station Wazirabad, Delhi and the proceedings emanating therefrom are quashed. The pending application, if any also stands disposed of. No order as to costs.

YOGESH KHANNA, J.

SEPTEMBER 08, 2020

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