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

Date of decision: 15.02.2021

+ CRL.M.C. 454/2021

SH. AVDESH KUMAR DUBEY Petitioner
Through Mr.Ankit Dubey, Adv.

versus

STATE THROUGH GOVT. OF NCT DELHI & ANR.

..... Respondents
Through Mr.Izhar Ahmed, APP for State.
Ms.Santwana, Adv. with Mr.Ravi
Rai, Adv. for R-2 with R-2 in person
through VC.
SI Yogendra PS Burari.

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

The hearing has been conducted through video conferencing.

Crl. M.A. 2398/2021

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, petitioners seek direction for quashing of FIR No.102/2011 dated 04.04.2011 registered at Police Station Burari and consequent proceedings arising therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for State and by counsel for respondent no.2 and with the consent of counsel for parties, present petition is taken up for final disposal.
6. Petitioner no.1 and respondent no.2 got married on 24.06.2006 as per Hindu rites and rituals. Due to extreme incompatibilities between petitioners and respondent no.2, they started living separately from 11.12.2007.
7. Petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before the Delhi Mediation Centre, Tis Hazari Courts, Delhi vide settlement deed dated 23.07.2019 and settled all their disputes amicably.
8. It is agreed by counsel for the petitioner, on instructions, that the steps have already been taken for withdrawal of the pending appeal and he has undertaken before this court that pending appeal shall be withdrawn without further delay.
9. Complainant/respondent no.2 is present in person and has been identified by SI Yogendra of Police Station Burari and submits that matter has been settled and she does not wish to prosecute the matter any further.

10. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

11. For the reasons afore-recorded, FIR No.102/2011 dated 04.04.2011 registered at Police Station Burari and consequent proceedings emanating therefrom are quashed.

12. The petition is, accordingly, allowed and disposed of.

13. Pending application also stands disposed of.

14. The order be uploaded on the website of this Court forthwith.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 15, 2021
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