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

Date of decision: February 24, 2021

+ CRL.M.C. 606/2021 & Crl.M.A. 3000/2021

ROCKY KANE AND ANR. Petitioners

Through: Mr. Pushpender Kumar,
Advocate

Versus

THE STATE AND ANR. (NCT OF DELHI) ... Respondents

Through: Mr. G.M.Farooqui,
Additional Public Prosecutor
for respondent No.1/State
with Inspector Harish
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT (ORAL)

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The hearing has been conducted through video conferencing.

1. Vide the present petition, petitioners are seeking quashing of FIR No.150/2018, registered at police station Sagarpur, New Delhi and all other proceedings arising therefrom.

2. Notice issued.

3. Mr. G.M.Farooqui, learned Additional Public Prosecutor for State accepts notice and submits that respondent No.2 is present

through video conference and she has been identified as the complainant of FIR in question by the Investigating Officer of this case, who is also present through video conferencing.

4. With the consent of the parties, the present petition is taken up for final hearing.

5. The marriage between petitioner No.1 and respondent No.2 was solemnized on 24.02.2016 and due to temporal differences, the marriage could not work and they started living separately since 03.02.2017. The dispute between the parties culminated into the FIR in question.

6. The present petition has been filed on the ground that the parties have amicably settled their dispute in terms of Memorandum of Understanding dated 25.11.2020. It is stated that joint petition under Section 13 (1) (ia) and Section 13 B(2) under the Hindu Marriage Act, 1955 has been allowed by the learned Principal Judge, Family Court, Dwarka, New Delhi and decree of divorce has been granted on 11.01.2021.

7. Learned counsel for the petitioners submits that the terms of Memorandum of Understanding dated 25.11.2020 have been acted

upon and therefore, the proceedings arising out of FIR in question be brought to an end.

8. Keeping in view that the dispute between the parties has been amicably resolved, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

9. For the reasons afore noted, FIR No.150/2018, registered at police station Sagarpur, New Delhi and consequent proceedings emanating therefrom are hereby quashed.

10. The petition is accordingly allowed and disposed of.

11. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 24, 2021

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