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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1398/2024**

AMIT YADAV & ORS.

..... Petitioners

Through: Mr. Deepak Choudhary, Mr. Hitesh Solanki, Ms. Sakshi, Mr. Prateek Barad, Mr. Vishal Bhardwaj, Mr. Mohit Barad and Mr. Vedpal, Advs.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Anand V. Khatri, ASC (CrI.) for State with Insp. Naveen Kumar and SI Nitesh Mariya, PS Samaypur Badli.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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06.05.2024

CRL.M.A. 13654/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 1398/2024 & CRL.M.A. 13655/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0154/2013 under Sections 498A/406 IPC registered at P.S.: Samaypur Badli and proceedings emanating therefrom. Also an application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners seeking exemption from filing affidavit



of respondent No. 2.

2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.

3. Learned counsel for petitioners submits that the matter was initially settled between the parties in terms of Memorandum of Understanding dated 20.03.2023. Further the same was acted upon whereupon the marriage between the parties was dissolved by decree of divorce under Section 13B(2) of the Hindu Marriage Act on 24.04.2023. However, it is submitted that thereafter respondent No. 2 is not cooperating for quashing of FIR.

4. After making some submissions, learned counsel for the petitioners seeks to withdraw the present petition with liberty to file appropriate proceedings in view of violation of undertaking/settlement entered between the parties.

5. Taking the statement of learned counsel for the petitioners on record, petition is accordingly disposed of with liberty to the learned counsel for the petitioners to file appropriate proceedings in accordance with law.

Learned Trial Court is also at liberty to refer the parties to mediation for exploring the possibility of amicable resolution of disputes in view of earlier settlement.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 06, 2024/akc