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

+ **CRL.M.C. 6212/2024**

**SAURABH UPADHYAY**

.....Petitioner

Through: Mr.Vibhor Garg and Mr.Keshav  
Tiwari, Advts. with petitioner in  
person.

versus

**STATE (NCT OF DELHI) & ANR.**

.....Respondents

Through: Ms.Kiran Bairwa, APP for the State  
SI Vikash Fageria PS Rajouri Garden  
Respondent no.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**09.08.2024**

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**CRL.M.A. 23716/2024 (exemption)**

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

**CRL.M.C. 6212/2024**

Present petition has been filed for quashing of FIR No.0522 dated 09.09.2017 under Section 406/498A/34 IPC at PS Rajouri Garden and all other proceedings emanating therefrom.

The parties were married on 29.11.2015. However, immediately after the marriage on account of temperamental differences, the parties started living separately. No child born out of the wedlock. Parties were following petition bearing number MC No.412/2017 filed under section 12 Protection of Women from Domestic Violence Act, 2005, petitioner bearing Mt



No.237/2017 under section 125 Cr.P.C. and present FIR No.0522 dated 09.09.2017 under Section 406/498A/34 IPC at PS Rajouri Garden. The charge sheet has already been filed.

Both the parties state that they have decided to close the litigation between them. Learned counsel submits the petition under section 12 Protection of Women from Domestic Violence Act, 2005 has been dismissed in default and petition under section 125 Cr.PC has been withdrawn.

Both the parties stated that they have settled the matter. It has been stated that though they are living separately, then do not want to live together and want to live separately. However, they state that they do not want to take divorce at the stage.

Respondent no.2 has filed a detailed reply stating that she has given her express consent and no objection if filing of the preset petition and for quashing of FIR as well as Complaint Case No.1609 of 2019 under section 498A/406 IPC.

IO has identified the parties. The petitioner is stated to be an IRS officer. Respondent number two is also highly qualified and done her post graduation. Since the matter has been settled between the parties, FIR No.0522 dated 09.09.2017 under Section 406/498A/34 IPC at PS Rajouri Garden and all other proceedings emanating therefrom are quashed.

The petitioner along with the pending applications stands disposed.

**DINESH KUMAR SHARMA, J**

**AUGUST 9, 2024**

rb/dg