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

+ **CRL.M.C. 4348/2017 &CRL.M.A. 17456/2017**

MOHAN SINGH

.....Petitioner

Through: Mr. Harsh Kumar, Ms. S. Gogoi, Ms.
Ankita Bidhuri, Mr. Ajay Tyagi and Mr.
Neel Kumar Sharma, Advocates.

versus

STATE (GOVT OF NCT DELHI) & ANRRespondents

Through: Ms. Meeakshi Dahiya, APP for State
with W/SI Surabhi, PS: Mandawali.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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15.07.2024

1. This petition has been filed for quashing of FIR no. 171/2015 registered at PS Mandawali, Delhi, under Sections 376/506 of IPC.
2. The statement was recorded on 03rd February, 2016, before the Counselling Cell Family Courts, East District, in that the parties had agreed to file a divorce petition and the respondent no. 2, complainant would cooperate to the quashing of the FIR before filing of the Second motion.
3. The petitioner and respondent no.2 were married in 2011, subsequently had various incidents of marital discord. Amidst this marital discord, allegations of certain incidents against the husband/petitioner were made by the respondent no.2 and the FIR was registered. However they settled their *inter se*



issues.

4. Subsequently, pursuant to the settlement, a decree of divorce was passed on 08th February, 2017, which is also on record of this Court.
5. Basis this, a settlement, the quashing petition was filed, however, respondent no.2 had not appeared.
6. Today, respondent no.2 is present in Court and is duly identified by IO and states that she has no objection to the quashing of the FIR.
7. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 171/2015 under Sections 376/506 of IPC registered at PS Mandawali, Delhi and proceedings emanating therefrom are quashed.
8. Parties shall abide by the terms of settlement.
9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 15, 2024/RK