

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

+ **CRL.M.C.No.164/2007**

% **Date of Decision: 07.08.2008**

Jyoti Kapoor & Others Petitioners

Through Mr.M.K. Arora and Mr.R.Chhabra,
Advocates

Versus

The State Respondent

Through Mr.R.N. Vats, APP for the State

CORAM:
HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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The petitioner No.1 and petitioner No.2 are present with their counsel. Learned counsel for the parties contend that the marriage between the petitioner No.1 and petitioner No.2 has already been dissolved by a decree of divorce by mutual consent under Section 13 B (2) of Hindu Marriage Act, 1955 dated 1st December, 2006. Petitioner No.1 has already married to some other person. Learned counsel for the parties state that in view of the settlement no useful purpose shall

be served in continuing with the proceedings pursuant to FIR No.27/2006 dated 24.01.2006 under Sections 34/406/498/498A of Indian Penal Code registered at Police Station Roshnara Road, Roop Nagar, against the petitioner Nos.2 to 9.

Let the statement of petitioner No.1 be recorded, who is identified by her counsel.

Statement of petitioner No.1 has been recorded. The disputes between the petitioner No.1 and petitioner No.2, who were husband and wife, has been resolved amicably. The marriage between the petitioner No.1 and petitioner No.2 has already been dissolved by a decree of divorce by mutual consent under Section 13 B (2) of Hindu Marriage Act, 1955 dated 1st December, 2006. It is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.27/2006 dated 24.01.2006 under Sections 34/406/498/498A of Indian Penal Code registered at Police Station Roshnara Road, Roop Nagar, against petitioner Nos.2 to 9. It shall also be in the interest of justice to quash the said FIR and all the proceeding emanating therefrom. Learned Additional Public Prosecutor, Mr.Vats, also has no objection to the quashing of the FIR.

Therefore, in the totality of facts and circumstances, FIR No.27/2006 dated 24.01.2006 under Sections 34/406/498/498A of Indian Penal Code registered at Police Station Roshnara Road, Roop

Nagar, and all the proceedings emanating therefrom against petitioner Nos.2 to 9 are quashed.

The petition is disposed of.

Dasti.

August 07, 2008
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ANIL KUMAR, J.