

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

+ **CRL.M.C.No.2796/2008**

% **Date of Decision: 26.08.2008**

Shri Ghanshyam Mishra & Others Petitioner

Through Mr.Rajesh Kumar, Advocate.

Versus

The State and Another Respondents

Through Mr.R.N. Vats, APP for the State.
Respondent No.2 in person.
HC Sompal Singh, P.S.Karawal Nagar.

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 petitioners and respondent No.2 are present along with the counsel for the petitioners. The learned counsel for the petitioners contends that the differences between the petitioner No.2 and respondent No.2 who are husband and wife have since been resolved and they are living together as husband and wife for last about six months. It is also contended that no useful purpose shall be served in continuing the proceedings pursuant to FIR No.21/2007 under Sections 323/341/325/498A of Indian Penal Code registered at Police Station

Karawal Nagar, Delhi-110094. It is contended that continuation of the proceedings shall not be conducive for the future matrimonial life of the petitioner No.2 and respondent No.2 and in the circumstances it is prayed that the said FIR and all the proceedings emanating therefrom be quashed.

Let the statement of respondent No.2 be recorded.

The statement of respondent No.2, has been recorded who has been identified by the counsel for petitioners, Shri Rajesh Kumar as also by Head Constable Sompal Singh, Investigating Officer who is present. This is apparent that petitioner No.2 and respondent No.2 who are husband and wife are living together for the past six months. The respondent No.2 has also deposed that she does not want to continue any proceedings against her husband pursuant to a complaint made by her on account of some misunderstanding. Considering the facts and circumstances, it is apparent that no useful purpose would be served in continuing the proceedings pursuant to FIR No.21/2007 under Sections 323/341/325/498A of Indian Penal Code registered at Police Station Karawal Nagar, Delhi-110094. It shall also be in the interest of justice and for future matrimonial life of the petitioner No.2 and respondent No.2 to quash the said FIR and all the proceedings emanating therefrom against the petitioners.

Learned Additional Public Prosecutor, Mr.Vats, in the facts and circumstances, has also no objection to quashing of FIR No.21/2007

under Sections 323/341/325/498A of Indian Penal Code registered at Police Station Karawal Nagar, Delhi-110094 against the petitioners and all the proceedings emanating therefrom.

In the totality of facts and circumstances, the FIR No.21/2007 under Sections 323/341/325/498A of Indian Penal Code registered at Police Station Karawal Nagar, Delhi-110094 and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

August 26, 2008

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ANIL KUMAR, J.