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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3524/2010 & Crl.M.As. No.17257-58/2010

SHAMSHER & ANR

..... Petitioners

Through : Mr. Bimalendu Shekhar with
Ms. Uma Singh, Advs. with
petitioners in person.

versus

STATE OF DELHI

..... Respondent

Through : Mr. Navin Sharma, APP for the State
with Investigating Officer.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

% 12.11.2010

1. The present petition is filed by the petitioners under Section 482 Cr.P.C. praying *inter alia* for quashing of FIR No.893/2006 lodged by the petitioner No.2/complainant, wife of the petitioner No.1, under Sections 498-A/406/34 IPC with PS Uttam Nagar, Delhi, and all proceedings arising therefrom.

2. It is the case of the parties that the marriage of the petitioner No.1 and the petitioner No.2/complainant was solemnized on 5.2.2004. However, there is no issue from out of the wedlock. Thereafter, due to certain disputes and differences which arose between the petitioner No.1 and the petitioner No.2/complainant, the parties separated.

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3. It is stated that now, with the intervention of the family members, relatives and well wishers of the parties, they have settled all their *inter se* disputes in terms of the Deed of Compromise, which was executed between the parties dated 19.10.2010, whereunder, both the parties agreed to reunite. The original Deed of Compromise dated 19.10.2010 is placed on the record (Annexure-P-2).

4. The petitioners are present in the Court and confirm the aforesaid position. The petitioner No.2/complainant states that she has no objection to the quashing of the aforesaid FIR, lodged by her, as she is living with the petitioner No.1 peacefully and that she has no further grievance against him.

5. Learned APP for the State, on instruction from the Investigating Officer, confirms the fact that the parties have arrived at a settlement and now the petitioners No.1 and 2 are living together. He, therefore, does not oppose the prayer made in the present petition.

6. Having regard to the aforesaid submission made by the counsel for the petitioners and taking into consideration the fact that the petitioners No.1 & 2 are now cohabiting at their matrimonial residence, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

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7. Accordingly, the prayer made in the petition is allowed and the FIR No.893/2006 lodged by the petitioner No.2/complainant with PS Uttam Nagar and all proceedings arising therefrom stand quashed.

8. The petition is disposed of, along with the pending applications. File be consigned to the record room.



HIMA KOHLI,J

NOVEMBER 12, 2010
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