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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3570/2010 and CrI.M.A. 17426/2010

ARUN MALHOTRA & ORS Petitioners
Through: Mr. Y.P. Rana, Advocate with
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR Respondents
Through: Mr. Navin Sharma, APP for the State
with SI Vijay Kumar, PS Geeta Colony.
Mr. Arun Machotra, Advocate with respondent
No.2/complainant in person.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
18.11.2010

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1. The present petition is filed by the petitioners under Article 226 of the Constitution of India read with Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.25/2007, lodged by respondent No.2/complainant against her husband, petitioner No.1 and the members of his family, petitioners No.2 and 3 under Sections 498A/406/34 IPC, registered with Police Station: Geeta Colony, Delhi.

2. Counsel for the petitioners states that the marriage of petitioner No.1 and respondent No.2/complainant was solemnized on 17.04.2003 as per Hindu rites in Delhi. In August 2006, due to
CRL.M.C. 3570/2010

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disputes and differences between the parties, they separated. This was followed by respondent No.2/complainant lodging the aforesaid FIR against the petitioners. While the aforesaid proceedings were going on, respondent No.2/complainant filed a petition under Section 125 of the Cr.PC for grant of maintenance. Thereafter on 30.04.2009, both the parties settled all their disputes with the facilitation of the learned ASJ in the revision petition filed by petitioner No.1 against the order of interim maintenance. A Compromise Deed dated 4.11.2010(page 38 of the petition) was executed between the parties recording the settlement reached in the court of learned ASJ. As a result of the aforesaid settlement, the parties decided to reunite and reside together. It is stated by the counsel for the petitioners that the parties are residing together for the last one year and now, there is no further dispute between them. He, therefore, submits that the present petition be allowed and the FIR be quashed.

3. Respondent No.2/complainant is present in Court with her counsel. She confirms the aforesaid position and states that she is residing alongwith her minor child with her husband at the matrimonial home and that she has no objection to the aforesaid FIR being quashed.

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4. Learned APP for the State submits that after completion of the investigation, charge-sheet has been filed. However, in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed.

5. This Court has heard counsels for the parties. In view of the submission made by respondent No.2/complainant and in view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

6. Accordingly, the prayer made in the petition is allowed. FIR No.25/2007, lodged by respondent No.2/complainant with Police Station: Geeta Colony, Delhi, and all proceedings arising therefrom stand quashed.

7. The petition is disposed of alongwith the pending application. File be consigned to the record room.

NOVEMBER 18, 2010
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HIMA KOHLI,J