

47.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3639/2010 and CrI.M.A. 17662/2010

ANISH @ RAJU & ORS.

..... Petitioners

Through: Mr. Nishant Sharma, Advocate with
petitioners No.2 and 3 in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. M.N. Dudeja, APP for the State
with SI Surender, PS Saraswati Vihar.

Ms. Supriya Batra, Advocate with respondent
No.2/complainant in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

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23.11.2010

1. The present petition is filed by the petitioners under Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.225/2010, 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 406/498A IPC, registered with Police Station: Saraswati Vihar, Delhi.

2. Counsel for the petitioners states that the marriage of petitioner No.1 and respondent No.2/complainant was solemnized on 01.10.1996. A male child was born from out of the wedlock in the year 2007. On 14.11.2009, due to disputes and differences between

CRL.M.C. 3639/2010

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the parties, respondent No.2/complainant left the matrimonial home. This was followed by lodging of the aforesaid FIR by respondent No.2/complainant. In the meantime, with the intervention of relatives and well wishers, the parties arrived at a settlement, as a result of which, respondent No.2/complainant is now residing with petitioner No.1 at the matrimonial home alongwith her minor child.

3. Respondent No.2/complainant is present in Court with her counsel. She confirms the aforesaid position and states that she has arrived at the settlement with the petitioners and she has no grievance against any of them. She further states that she is living peacefully alongwith her minor child with her husband at the matrimonial home and that she has no objection to the aforesaid FIR being quashed.

4. Learned APP for the State submits that the matter is at the initial stage of investigation. 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.225/2010, lodged by respondent No.2/complainant with Police Station: Saraswati Vihar, Delhi, and all proceedings arising therefrom are quashed.

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



HIMA KOHLI,J

NOVEMBER 18, 2010
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