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

+ CRL.M.C. 2637/2011

% Judgment delivered on:18th November, 2011

SUDHIR KUMAR JAIN &ORS. Petitioner
Through : Mr. D.K Bhardwaj, Adv.

versus

STATE NCT OF DELHI &ANR. Respondent
Through : Ms. Rajdipa Behura, APP.
Mr. Lokesh Chandra, Adv. for R2/complainant.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT

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| 1. Whether the Reporters of local papers
may be allowed to see the judgment? | NO |
| 2. To be referred to Reporter or not? | NO |
| 3. Whether the judgment should be reported
in the Digest? | NO |

SURESH KAIT, J. (Oral)

1 Learned counsel for the petitioner submits that vide FIR No. 120

dated 01.05.2009, a case under Sections 498A/406 Indian Penal Code, 1860 was registered against the petitioners by P.S. Defence Colony.

2 It is submitted that the matter has been compromised between the parties vide compromise deed dated 15.12.2010.

3 Pursuant to the above mentioned compromise, the marriage between the petitioner No.1 and respondent No. 2 has been dissolved vide a decree of divorce vide order dated 27.07.2011 by mutual consent.

4 Learned counsel for respondent No.2 submits that respondent No. 2 could not come to the court today due to some personal difficulty. Upon instructions of respondent No. 2, he submits that respondent No.2 does not want to pursue the case further and she has no objection if the present FIR is quashed.

5 Learned APP for State submits that the Government Machinery has been mis-used and the precious time of the court has been consumed, therefore, heavy costs should be imposed upon the petitioners before quashing the FIR.

6 I find force in the submission made by learned APP for State, but keeping in view the poor financial condition of the petitioners, I refrain myself imposing costs upon the petitioners.

7 Accordingly, Criminal M.C. 2637/2011 is disposed of.

8 Dasti.

CRL. M.A. 9419/2011

This application is disposed of being infructuous.

SURESH KAIT, J

NOVEMBER 18, 2011

j