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

+ **CRL.M.C.No.3542/2011**

% Judgment delivered on: 24th October, 2011

PRAVESH KUMAR & ORS Petitioners
Through : Mr. Siddharth, Adv
versus
GOVT OF NCT OF DELHI Respondent
Through : Ms. Ritu Gauba, APP for State

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 petitioners submits that vide FIR No.512/2007 dated 24.07.2007, case under Section 498A/406/34 Indian Penal Code, 1860 was registered against the petitioner Nos.1 to 5 on the complaint of petitioner No.6 at police station Jahangir Puri, Delhi.

2. Further submits that with the intervention of the elders and common friends, matter has been settled and petitioner

Nos.1 & 6 decided to part their ways and vide decree dated 24.02.2011, marriage between the parties stood dissolved.

3. Ms.Seema @ Yogita, petitioner No.6 is present in person with her learned counsel, Advocate who has duly identified her. Further, she has produced the original (in torn condition) identify card issued in her name from National Open School. The photocopy of thereof has been placed at Page No.24 of the petition. Original seen and returned to her.

4. Petitioner No.6 submits that she has settled all the issues qua the present FIR and she does not wish to pursue the same. She has no objection, if the present FIR is quashed.

5. Ms.Ritu Gauba, learned APP for State in the present case, submits that the FIR was registered way back in the year 2007 and since then the government force has been used and the precious time of the Courts has been consumed. It is further submitted that charge-sheet has since been filed, however, charge yet to be framed against the petitioners. If this Court is inclined to quash the present

FIR, costs should be imposed upon the petitioners.

6. In view of above, as the marriage between the petitioner and petitioner No.6 has already been dissolved vide decree dated 24.02.2011, and petitioner No.6 is not interested in pursuing her case any further, FIR No.512/2007 under Section 498A/406/34 Indian Penal Code, 1860 registered against the petitioner Nos.1 to 5 at police station Jahangir Puri, Delhi and emanating proceedings, if any, are quashed.

8. I find force in the submission of learned APP for State for putting the petitioners to some terms. However, keeping the financial status of the petitioners, I refrain in imposing any costs upon the petitioners.

9. Accordingly, Criminal M.C.No.3542/2011 is allowed and disposed of in above terms.

10. *Dasti.*

SURESH KAIT, J

October 24th 2011

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