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

+ CRL.M.C. 3894/2011

MANOJ SAH

..... Petitioner

Through: Mr.P.K.Sharma, Adv.

versus

STATE & ANR

..... Respondents

Through: Mr.Mukesh Kaushik, Adv. for the
complainant/R-2 with respondent no.2 in
person.

SI Girraj Singh, P.S. Badarpur.

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

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24.11.2011

Crl.M.A.No. 18357/2011

1. This is an application seeking exemption from filing the certified copies of annexures.
2. Allowed subject to all just exceptions.

CRL.M.C. 3894/2011

1. This is a petition for quashing of FIR No.755/2005, u/S 498A IPC registered by P.S. Badarpur in respect of which trial is pending in the Court of Ms.Puja Talwar, MM, Saket Courts.
2. The ground for quashing of the aforesaid FIR is that the petitioner and the respondent no.2 have arrived at a settlement as a consequence of which a decree of divorce has

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already been obtained. The settlement has been recorded into writing by the parties on 14.10.2011, original of which is placed at page 30 of the paper book. In terms of the said settlement, the petitioner has stated to have paid a sum of ₹2 lacs towards maintenance and upbringing of one male child who was born from the wedlock and whose custody is with the respondent no.2/mother. It is further stated that the respondent no.2 will co-operate with the petitioner in getting the aforesaid FIR and the consequent proceedings quashed.

3. The petitioner and the respondent no.2 who are present in Court have been identified by their respective counsel as well as the IO.
4. The respondent no.2 has filed her affidavit supporting the averments made in the petition. It has also been brought to the notice of the Court that after obtaining divorce, she has got re-married.
5. Having regard to other aforesaid facts, no useful purpose would be served by keeping the aforesaid FIR and the consequent proceedings pending.
6. Accordingly, FIR No.755/2005, u/S 498A IPC registered by P.S. Badarpur and the consequent charge sheet which is pending before the Court of learned MM is quashed.

7. Parties to bear their own costs.



V.K. SHALI, J

NOVEMBER 24, 2011

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