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

+ CRL.M.C. 943/2015

AMITESH KUMAR @ GUDDU SINGH Petitioner
Through Mr.Manoranjan Kumar, Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents
Through Mr.Ravi Nayak, APP for the State
along with SI Mohd. Razaq, PS
CWC Nanakpura, in person.
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

% **ORDER**
10.03.2015

Crl. M.A. No.3542/2015 (exemption)

Exemption allowed, subject to just exceptions.

The application is disposed of.

Crl. M.C. No.943/2015

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of FIR No.68/2014, under Sections 498-A/406/34 IPC, registered at P.S.CWC Nanakpura, Delhi on the complaint of respondent No.2.

Brief facts of the case are that respondent No.2 got married with the petitioner on 9th July, 2008. A male child, namely, Master Ankit Singh was born out of this wedlock. As the disputes arose between them, on the basis

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of the complaint made by respondent No. 2, the aforesaid FIR was lodged against the petitioner on 28th March, 2014. It is stated that during the pendency of these proceedings, the parties have settled their disputes during the mediation proceedings before Patna High Court Judicature at Patna on 12th December, 2014. Copy of the Memorandum of Agreement is placed on the record which is duly signed by the parties. The said settlement has been acted upon between the parties. Respondent No.2 has already withdrawn her application under Section 125 Cr.P.C. as well as her domestic violence case against the petitioner and his family members. As per the settlement, they are now residing in the same house as husband and wife.

The petitioner is present in Court who is duly identified by his counsel. Respondent No.2 is also present who is identified by the IO. She has confirmed the settlement and states that the matter has been settled with her own consent and now she is residing happily with her husband, i.e. the petitioner herein. She further states that she has now no grievance left against the petitioner and she wishes to withdraw the complaint filed by her against the petitioner. However, she seeks a liberty to file a fresh complaint in case of any incident of the nature for which the complaint was earlier filed by her.

In view of the above facts and as petitioner/husband and respondent No.2/wife are living together peacefully, I am of the opinion that no useful purpose would be served in continuing the proceedings arising out of the above said FIR. Accordingly, the FIR No.68/2014, under Sections 498-A/406/34 IPC, registered at P.S.CWC Nanakpura, Delhi and proceedings pursuant thereto are hereby quashed qua the petitioner. Liberty as sought by respondent No.2 is granted.

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The petition is accordingly disposed of.


MANMOHAN SINGH, J.

MARCH 10, 2015/ka