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

+ CRL.M.C. 1453/2015

UMESH KUMAR & ORS

..... Petitioners

Through

Mr.Mayank Sharma, Adv. with
petitioners No.1, 3, 4 5 in person.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through

Mr.Satish Verma, APP for the State
along with SI Vijay Pal.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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15.04.2015

Crl.M.A. No. 5350/2015

Exemption allowed, subject to all just exceptions.

The application is disposed of.

Crl.M.C. 1453/2015

Petitioners No.1, 3, 4 & 5 and respondent No.2 are present in Court who have been identified by the counsel for the petitioners.

This is a petition filed by the petitioners under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 82/2013 under Sections 498-A/406/34 IPC, Police Station Sagarpur, New Delhi. The aforesaid FIR is registered on the basis of complaint lodged by the

complainant/ respondent No. 2, wife of petitioner No.1 herein.

The facts of the case are that marriage between the petitioner No.1 and respondent No. 2 was solemnized on 20th February, 2007 according to Hindu rites and ceremonies. As the disputes arose between them, respondent No. 2 lodged the aforesaid FIR against the petitioners.

It is stated that during the pendency of these proceedings, the parties have settled their disputes in terms of Memorandum of Settlement dated 6th August, 2013. Petitioner No.1 and respondent No.2 are present before Court and they have confirmed the settlement. As per the settlement, the petitioner No.1 and respondent No.2 are residing together since 6th August, 2013.

The complainant/ respondent No. 2, who is present in the court, affirms that the matter has been settled with her own consent and now she is residing happily with her husband. She further states that she has now no grievance left against the petitioners and she wishes to withdraw the complaint filed by her against the petitioners. Counsel for the State has no objection to the same.

Petitioner No.2 is not present. Respondent No.2 has no objection if the appearance of the petitioner No.2 be dispensed with, in view of the fact that the disputes between the parties have already been resolved. Ordered accordingly.

Parties shall be bound by the terms and conditions of the Memorandum of Settlement dated 6th August, 2013.

In view of the averments made in the petition and as they 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 proceedings arisen from the FIR No. 82/2013 under

Sections 498-A/406/34 IPC, Police Station Sagarpur, New Delhi, are hereby quashed.

The petition stands disposed of. Dasti.

MANMOHAN SINGH, J.

APRIL 15, 2015/jk

— fresh U.M.A-11822/15-
for correction in above
order

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

+ **CRL.M.C. 1453/2015**

UMESH KUMAR AND ORS

..... Petitioners

Represented by: Mr. P. Kumar, Advocate for
Petitioner No.1/Applicant in
Crl. M.A.No. 11822/2015.

Versus

THE STATE NCT OF DELHI AND ANR

..... Respondents

Represented by: Ms.Meenakshi Chauhan,
Additional Public Prosecutor
for the State.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

% **17.08.2015**

Crl.M.A. No. 11822/2015

1. Vide the instant application, the applicant/petitioner No.1 seeks correction in the order dated 15.04.2015, whereby while allowing the petition noted above seeking quashing of FIR No.110/2013, inadvertently, FIR number has been wrongly mentioned as 82/2013.
2. Keeping in view the averments made in the instant application, the same is allowed.
3. Accordingly, I hereby clarify that aforesaid order dated 15.04.2015 shall be treated as having been passed in FIR No.110/2013 registered at Police Station Sagarpur, New Delhi, for the offences punishable under Sections 498-A/406/34 IPC.
4. No further order is required to be passed.

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5. A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

Suresh

SURESH KAIT, J.

AUGUST 17, 2015

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