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

+ W.P.(CRL) 2325/2014

YOGESH

..... Petitioner

Through : Attendance slip not given.

versus

STATE & ANR

..... Respondents

Through :Mr. Saleem Ahmed, Standing
Counsel (Crl.) with Mr. Ajay Pratap
Singh, Adv. and SI Sarvan kumar,
P.S. Sultan Puri for the respondent no.
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Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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27.04.2015

On the complaint of respondent no. 2, present FIR No. 893/2014 under Section 363 IPC was registered at P.S. Sultan Puri. Respondent no. 2 has alleged in the FIR that her daughter Manju aged 17 years, that is, respondent no.3 was missing from the house from 17th August, 2014. Respondent no. 3 is represented in this petition through her mother. As on date, respondent no.3 is 17 years and 9 months old.

During the investigation, respondent nos. 2 and 3 approached the Investigating Officer in the Police Station on 19th August, 2014 itself, of

their own. Respondent no. 2 told the Investigating Officer that respondent no. 3 had left the house of her own free will and was not kidnapped by anyone. Statement of respondent no. 3 Manju was also got recorded under Section 164 Cr.P.C. on 20th August, 2014. In her statement, respondent no. 3 stated that she wanted to marry petitioner but her mother, that is, respondent no. 2 was marrying her somewhere else. For this reason, she left the house along with petitioner on 17th August, 2014 of her own free will. She went to Haryana and stayed in the house of aunt of the petitioner. She categorically stated that no one had kidnapped nor anyone enticed her.

First of all, this statement of respondent no. 3 does not disclose the ingredients of offence under Section 363 IPC, since respondent no. 3 had accompanied the petitioner of her own free will and was not enticed by him to accompany him to his aunt's house. Secondly, matter has been compromised between the petitioner and complainant, that is, respondent no. 2. Respondent no. 2 is present in Court and submits that FIR was lodged due to some confusion since respondent no. 3 had left the house without informing her. She further submits that she is not willing to pursue this FIR any further.

Keeping in mind the above facts, no fruitful purpose would be served

in keeping the criminal proceedings pending. Accordingly, in the interest of justice, FIR No. 893/2014 under Section 363 IPC registered at P.S. Sultan Puri and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

APRIL 27, 2015
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