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

+ W.P.(CRL) 1357/2015

RADHEY SHYAM & ANR Petitioners
Through Mr.Jitender Tyagi &
Mr.Ananya Roy, Advs.

versus

STATE OF NCT OF DELHI & ANR Respondents
Through Ms.Richa Kapoor, ASC with
Mr.Rohit Kaul & Mr.Ashish
Negi, Advs.
SI Yad Ram PS Jait Pur.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
04.09.2015

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The petitioner no.1 is the husband of respondent no.2 whereas the petitioner no.2 is the elder brother of petitioner no.1. The petitioners have prayed for quashing of FIR No.93/2015 (PS Jait Pur) dated 07.02.2015 instituted for the offence under Section 307/34 of the IPC.

It has been brought to the notice of the Court that chargesheet has been filed after completion of the investigation.

The present petition has been filed on the basis of a settlement having been arrived at between respondent no.2 and the petitioners.

The settlement agreement delineates that respondent no.2 has

settled all her disputes with the accused persons and she would have no objection if the complaint/FIR is quashed.

The petitioner no.1 and respondent no.2 who are husband and wife are present in the Court.

This matter had come up for consideration on earlier occasions also when this Court adjourned the case in order to observe the conduct of petitioner no.1.

Today when the matter is called out, respondent no.2, who is the wife of petitioner no.1, submits that she has no complaints against the petitioners and that she has been treated well.

Ms.Richa Kapoor, Additional Standing counsel , though admits the fact that a settlement has been arrived at between the husband and wife, but informs the Court that the allegations levelled in the FIR is of a serious nature. Respondent no.2 was attempted to be set on fire and she suffered 45% burn injuries.

This Court has interacted with respondent no.2 who has stated that she caught fire in the kitchen while preparing food and it was only in anger that she alleged that she was put on fire by the petitioners.

Considering the aforementioned facts and also taking into account the social strata of the parties, this Court is of the opinion that no useful purpose would be served in continuing with the present case as it would only create hurdles for respondent no.2.

The petitioner no.1 and respondent no.2 have three minor children who have to be looked after. In case, the proceedings are allowed to be continued, it would not be in the interest of either respondent no.2 or the children.

In that view of the matter, allowing these proceedings to continue would only be an empty formality and would serve no purpose.

Considering the aforementioned facts, the subject FIR No.93/2015 (PS Jait Pur) dated 07.02.2015 and the chargesheet which has been submitted by the police is hereby quashed.

The petition is disposed of accordingly.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 04, 2015

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