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

+ W.P.(CRL) 1945/2015

CHIRAG GUPTA & ANR Petitioners
Through Mr.Amit Singh, Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents
Through Mr.Sanjay Lao, ASC.
SI Surender Pal Hudda PS Krishna
Nagar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **07.09.2015**

Petitioner no.1 is the husband of respondent no.2 whereas petitioner no.2 is the mother-in-law of respondent no.2.

The petitioners have prayed for quashing of the FIR No.55/2012 (PS Krishna Nagar, District East Delhi) dated 14.02.2015, instituted for offence under Section 406/34 of the IPC.

It has been jointly submitted on behalf of petitioners and respondent no.2 that earlier FIR No.505/2006 (PS Krishna Nagar,) was registered at the instance of respondent no.2 for offence under Section 498A/406 of the IPC.

There was a settlement between husband and wife and they started living together.

Considering that aspect of the matter and on joint prayer of petitioners and respondent no.2, FIR No.505/2006 (PS Krishna Nagar) which was lodged under Section 498A/406/ of the IPC was quashed a bench of this Court.

In the year 2008, a maintenance case was lodged by respondent no.2

which was registered as CC No.1010/2014.

Simultaneously, another petition under Section 12 of the Domestic Violence Act was preferred by respondent no.2 against petitioner no.1.

It is submitted that with the passage of time and on the good counsel to the spouses, the aforesaid cases were withdrawn.

After about 4 years of the filing of the aforementioned cases, another FIR was lodged by respondent no.2 vide FIR No.55/2012 instituted for offence under Section 406/34 of the IPC (subject FIR).

In the present FIR also, the parties have settled their disputes and a settlement deed dated 19.12.2014 has been drawn up.

This Court has interacted with respondent no.2 who is present in the Court. The petitioners who are the husband and mother-in-law of respondent no.2 are also present.

They have given assurance that such disputes would not occur in future.

Mr.Lao, Additional Standing Counsel submits that the parties are living as husband and wife under the same roof and no useful purpose would be served in allowing this FIR to be investigated any further.

On the basis of aforesaid premised reasons, the subject FIR namely FIR No.55/2012 (PS Krishna Nagar), District East Delhi, and all the emanating proceedings thereof are hereby quashed.

The petition is disposed of.

ASHUTOSH KUMAR, J

SEPTEMBER 07, 2015/ab