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

+ **W.P.(CRL) 756/2016**

MAKHAN SINGH & ORS

..... Petitioners

Through: **Mr.Prashant Manchanda, Advocate**

versus

STATE OF GOVT OF DELHI & ANR

..... Respondents

Through: **Mr. Sanjay Lao, A.S.C. for the State
with W/ASI Krishna PS Tilak Nagar
Mr.Ritesh Oberoi, Advocate for R-2
with R-2 in person**

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.03.2016

CRL.M.A.4238/2016

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(CRL) 756/2016

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners are seeking quashing of case FIR bearing No.558/2015 under Sections 498-A/406/34 IPC, P.S. Tilak Nagar.

2. Brief facts leading to filing of this petition are that marriage between petitioner No.1 and respondent No.2/complainant was solemnized on 19.04.2013 at Delhi according to Sikh rites and customs. Out of the said wedlock, one child was born and is living with the respondent No.2. It is stated in the petition that after the marriage the parties lived together as

husband and wife but due to differences they could not live together and started living separately. Thereafter, the respondent No.2 lodged a complaint before the CAW Cell, Kirti Nagar, Delhi, on the basis of which a case FIR No.558/2015, under Sections 498-A/406/34 IPC, P.S. Tilak Nagar, Delhi was registered against the petitioners.

3. It is also stated that during the pendency of proceedings, with the intervention of common relatives and friends, both the parties settled their disputes amicably and the respondent No.2 joined the company of the petitioner No.1.

4. Counsel for the petitioners submits that the petitioner No.1 and the respondent No.2 have amicably resolved their dispute with the intervention of common relatives and friends and that the petitioner No.1-husband and respondent No.2-wife have now once again started living together peacefully and they are taking care of their child, no useful purpose would be served by continuance of criminal proceedings against the petitioners. Counsel thus prays for quashing of the FIR. Respondent No.2 is present in Court today and she also confirms the factum of amicable settlement with the petitioners. She submits that they have now started living together and she has no grievance left against the petitioners. She further submits that she has no objection if the FIR in question is quashed.

5. In view of the aforesaid amicable settlement arrived at between the parties, particularly the fact that the parties are living together happily with their child, I am of the considered view that no useful purpose would be served by continuing with the FIR/ criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

6. Accordingly, the petition is allowed and FIR bearing No.558/2015 under Sections 498-A/406/34 IPC, P.S. Tilak Nagar and all the proceedings arising therefrom are hereby quashed, leaving the parties to bear their own costs.

PRATIBHA RANI, J.

MARCH 09, 2016
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