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

+ **W.P.(CRL) 1116/2016**

RAMAN CHHIBBER & ORS

..... Petitioners

Through: Mr. Abhishek Kumar and Mr. Nitin Verma, Advocates

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Rajesh Mahajan, A.S.C. for the State with SI Neeraj Kumar, PS Mandawali.

Mr. Rajeshwar P. Gupta, Advocate for Respondent No.2.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **05.04.2016**

1. By way of present petition filed under Article 226 of the Constitution of India, the petitioners seek quashing of FIR bearing No.1102/2014 under Sections 498-A/406/34 IPC, P.S. Mandawali, Delhi and all the proceedings arising therefrom, on the basis of settlement arrived at between the parties.

2. Brief facts leading to filing of this petition are that marriage between petitioner No.1 and respondent No.2/complainant was solemnized on 22.02.2004 according to Hindu rites and ceremonies. Out of the said wedlock, two children were born. It is stated in the petition that due to misunderstanding and temperamental differences they could not live together and started living separately. Thereafter, the respondent No.2 lodged a criminal complaint against the petitioners which resulted into registration of FIR in question.

3. It is also stated that during the pendency of proceedings, the parties have resolved the dispute amicably and started living together happily.
4. Petitioner No.1-husband and respondent No.2-wife are present and submit that they have settled the issues amicably and now they are living happily as husband and wife alongwith their children.
5. Learned counsel for the petitioner submits that since the parties have resolved the dispute amicably and started living together happily, no useful purpose would be served by continuance of criminal proceedings against the petitioners. Counsel thus prays for quashing of the FIR and all subsequent proceedings arising out of said FIR qua the petitioners.
6. Respondent No.2 submits that she has no objection if the FIR in question and all subsequent proceedings arising out of the same are quashed.
7. In view of the aforesaid amicable settlement arrived at between the parties, particularly the fact that the parties are living together happily with their children, 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.
8. Accordingly, the petition is allowed and FIR bearing No.1102/2014 under Sections 498-A/406/34 IPC, P.S. Mandawali, Delhi and all the proceedings arising therefrom are hereby quashed, leaving the parties to bear their own costs.

PRATIBHA RANI, J.

APRIL 05, 2016

'st/da'