

#44

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 03.05.2016

W.P.(CRL) 1379/2016

DURGA PRASAD & ORS

..... Petitioners

Through: Mr. Ajay Kumar, Advocate

versus

STATE OF NCT & ANR

..... Respondents

Through: Mr. Avi Singh, ASC (Criminal) with
Ms. Megha Bahl and Mr. Ananya
Mohan, Advocates and ASI Tej Ram,
PS- Najafgarh for R-1

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A.7221/2016 (Exemption)

1. Exemption granted subject to all just exceptions.
2. The application is disposed of accordingly.

W.P.(CRL) 1379/2016

1. The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking quashing of FIR No.727/2014, under Section 380 IPC, registered at Police Station- Najafgarh, Delhi and the proceedings arising therefrom.

2. The subject FIR came to be registered on a complaint instituted by Manita, respondent No.2 in the present petition, against her father-in-law, brother-in-law, mother-in-law and sister-in-law, arrayed as petitioner Nos.1 to 4 in the present petition, alleging that the latter have illegally and without her permission removed her *stridhan* as well as cash belonging to her.

3. Manita, respondent No.2 herein, who is present in the Court and has been identified by the IO in the subject FIR, namely, ASI Tej Ram, Police Station- Najafgarh states that subsequent to the registration of the subject FIR, the parties have resolved all their differences which led to the registration of the subject FIR and, therefore, she is no longer keen to proceed with it.

4. In the present case, it is observed that Manita, respondent No.2 herein, is now living happily in her matrimonial home along with accused in the subject FIR. The subject FIR is evidently a consequence of a rift in the lute.

5. Since the dispute between the parties which led to the registration of the subject FIR, has been settled amicably without any undue influence, pressure or coercion and the parties are residing together peacefully, no useful purpose will be served by proceeding with the subject FIR.

6. This Court cannot permit the present proceedings to go on since they may constitute an obstacle of the re-united family continuing to live happily under the same roof.

7. Resultantly, the FIR No.727/2014, under Section 380 IPC, registered at Police Station- Najafgarh, Delhi and the proceedings arising therefrom are hereby set aside and quashed qua the petitioners.

8. With the above directions the writ petition is allowed and disposed of accordingly.

SIDDHARTH MRIDUL, J

MAY 03, 2016

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