

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 30th May, 2016

W.P.(CRL) 1746/2016

VISHWAJEET RANA & ORS

..... Petitioners

Through: Mr Surender Nandal, Advocate.

versus

THE STATE & ORS

..... Respondents

Through: Mr Ashish Aggarwal, Addl. Standing Counsel (Crl.) with ASI Tej Ram, PS- Najafgarh.

**CORAM:
HON'BLE MR JUSTICE SIDDHARTH MRIDUL**

SIDDHARTH MRIDUL, J (ORAL)

1. The present is a petition under Article 226 of the Constitution of India seeking quashing of FIR No.99/2016 under Sections 498A/406/34 IPC registered at Police Station- Najafgarh, Delhi.

2. Manju, respondent no. 2/complainant (wife) in the subject FIR, who is present in Court and has been identified by the Investigating Officer in the

subject FIR namely, ASI Tej Ram, Police Station- Najafgarh, Delhi, states that she has amicably resolved all her outstanding matrimonial disputes with her husband, petitioner no.1 herein, and the other petitioners, who are her in-laws.

3. Manju, respondent no. 2/complainant (wife) further states that pursuant to the amicable resolution of the disputes between the parties, she has been living in her matrimonial home happily since a couple of months. She further states that she has a ten-month-old son, namely, Master Shresht and that the present FIR has the potential to complicate and jeopardize her family life. She, therefore, states that she is no longer keen to prosecute with the subject FIR.

4. Notice.

5. Mr Ashish Aggarwal, learned Addl. Standing Counsel (CrI.) appearing on behalf of the official respondent accepts notice and fairly does not oppose the petition in view of the facts and circumstances afore-stated.

6. It is observed that the present case does not fall within the categories exempted from quashing in terms of the decision of the Supreme Court in

Gian Singh vs. State of Punjab and Anr. reported as (2012) 10 SCC 303,
since it does not affect the general public at large and is a private affair.

7. In view of the foregoing, the present writ petition is allowed. FIR No.99/2016 under Sections 498A/406/34 IPC registered at Police Station- Najafgarh, Delhi is hereby set aside and quashed *qua* the petitioners.

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

MAY 30, 2016
mk

SIDDHARTH MRIDUL, J