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

+ **W.P.(CRL) 729/2015**

ASHA DEVI @ MALA & ORS

..... Petitioners

Through: Petitioner Nos. 3 and 4 in person

versus

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

Through: Ms.Kamna Vohra, A.S.C. for the
State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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15.02.2016

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., petitioners are seeking quashing of case FIR No. 26/2012 registered at PS Sarita Vihar under Section 363 IPC.

2. Smt.Sheela Devi, who is the complainant in the FIR No. 26/2012 registered at PS Sarita Vihar under Section 363 IPC, was impleaded as respondent No.2 in this writ petition.

3. Today on behalf of the State, it is submitted that petitioner Nos.1 and 2 who got married against the wishes of respondent No.2 are now settled in their life and are having two children. The police submitted cancellation report in the matter but further investigation has been directed by the concerned Court.

4. Today petitioner No.3, Smt. Babli, wife of Balli Nath and petitioner

No.4, Balli Nath, son of Late Kaidar Nath are present in person. They submit that they are not involved in this matter in any manner whatsoever and not even from the same community but falsely implicated in this case by the respondent No.2.

5. Ms.Kamna Vohra, A.S.C. for the State has been asked to inform as to whether the investigation disclosed any offence being committed by petitioner Nos. 3 and 4. On instructions from IO, she has informed that none of them is involved in this case and not wanted as an accused.

6. Investigation in case FIR No. 26/2012 registered at PS Sarita Vihar under Section 363 IPC resulted in filing of the cancellation report and as per the direction of the Court the matter is under further investigation. Petitioner Nos.3 and 4 are not wanted in this case and other petitioners are not appearing. It appears that after submission of the cancellation report in this case, they are not interested in prosecuting this case.

7. This writ petition is dismissed as petitioner Nos.3 and 4 do not want to continue with the writ petition and other petitioners are not appearing.

PRATIBHA RANI, J.

FEBRUARY 15, 2016

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