

\$~27

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

+ **CRL.M.C. 4182/2016**

**RAJ KUMAR**

..... Petitioner

Represented by: **Mr. Manoj Kumar, Adv.**

versus

**STATE & ORS**

..... Respondent

Represented by: **Mr. Ashok Kumar Garg, APP**  
**with SI Naveen, PS Subzi**  
**Mandi.**  
**R-2 in person.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**09.11.2016**

%

**CrI.M.A. 17428/2016**

Exemption allowed subject to just exceptions.

**CrI.M.A. 17429/2016**

For the reasons stated in the application delay of 30 days in refiling is condoned.

Application is disposed of.

**CRL.M.C. 4182/2016**

By the present petition the petitioner seeks quashing of FIR No. 544/2005 under Sections 465/471/420/120B IPC registered at PS Subzi Mandi, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

***CRL.M.C. 4182/2016***

***page 1 of 3***

Learned APP for the State on instructions from Investigating Officer submits that after investigation charge sheet in the above-noted FIR has been filed only against the petitioner and thus besides him there is no other accused and besides respondent No.2 there is no other complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she was married to the petitioner and due to the matrimonial differences the above-noted FIR was registered. She states that she has now settled the matter with the petitioner and divorce by mutual consent has been granted between the petitioner and respondent No.2. She states that after taking divorce from the petitioner she has re-married and living happily and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 544/2005 under Sections 465/471/420/120B IPC registered at PS Subzi Mandi, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**NOVEMBER 09, 2016**  
**‘ga’**