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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4454/2016**
SHASHI KUMAR

..... Petitioner

Through: Mr.Nitish Angrish, Advocate with the
petitioner in person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.G.M.Farooqui, APP for State with
SI Jaivir Singh, P.S. K.M.Pur, New
Delhi.
R-2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **29.11.2016**

Crl.M.A.No.18607/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4454/2016

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners seeking quashing of FIR bearing No.25/2009, under Sections 366/363 IPC, registered at Police Station K.M. Pur, New Delhi and all proceedings arising therefrom.

Learned counsel for the petitioner submits that the marriage between

the petitioner and Ms.Poona,, daughter of the respondent No.2/complainant was solemnized on 23.12.2008 and the said marriage was solemnized according to the own free will and consent of Ms.Poonam. It is further submitted that out of the said wed lock, a male child, namely, Naksh was born on 08.05.2012. Counsel further submits that due to some misunderstanding, an FIR bearing No.25/2009, under Sections 366/363 IPC was got registered by the respondent No.2/complainant against the present petitioner at Police Station K.M. Pur, New Delhi. Counsel further submits that now the petitioner and daughter of the complainant/respondent No.2 are living together along with their child and leading a happy and peaceful life, however, the FIR got registered by the respondent No.2/complainant is creating hurdle in their peaceful life and maintaining good matrimonial relations. He further submits that since the matter has been amicably settled between the parties, no purpose would be served by continuing with criminal proceedings against the petitioner, hence the FIR and all subsequent proceedings may be quashed.

The respondent No.2/complainant is present in the Court today and has been identified by the Investigating Officer, SI Jaivir Singh, P.S. K.M.Pur, New Delhi. The respondent No.2/complainant admits that she has amicably settled/compromised the matter with the petitioner and that her daughter Ms.Poonam is now living with the petitioner along with the child peacefully and happily. She submits that the misunderstanding has been sorted out and she is left with no claim or grievance of any nature against the petitioner. She further submits that she has got no objection if the present FIR in question is quashed.

Looking into the facts and circumstances, since the matter has been

amicably settled/compromised between the parties and the fact that the petitioner and the daughter of the respondent No.2/complainant are now residing together as husband and wife along with their child peacefully and happily and the complainant has got no objection to the quashing of the FIR, it is appropriate and in the interest of justice to quash the present FIR to upkeep the good matrimonial relations between the parties.

Consequently, FIR bearing No.25/2009, under Sections 366/363 IPC, registered at Police Station K.M. Pur, New Delhi and all proceedings arising therefrom are hereby quashed.

The petition stands disposed of accordingly.

I.S.MEHTA, J

NOVEMBER 29, 2016
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