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

+ W.P.(CRL) 37/2016

SANJEEV DWIVEDI & ORS

..... Petitioners

Through: Mr Amit Bhatia, Advocate.

versus

STATE & ANR

..... Respondents

Through: Ms Srilina Roy, Advocate for Ms Nandita Rao, Addl. Standing Counsel (Crl.) with SI Vinit Kumar, PS- Samai Pur Badli.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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08.01.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.237/2014 under Sections 406/498-A IPC registered at Police Station- Samai Pur Badli, Delhi and the proceedings arising therefrom.

Sanjeev and Rita, petitioner No.1 and respondent No.2 respectively, were married according to Hindu rites and ceremonies on 02.12.2009 at Delhi. One male child, namely, Master Savya has been born out of the said wedlock. Owing to temperamental and ideological differences between the parties to the marriage, they started living separately since November 2011. On a complaint instituted by respondent no.2-wife, the subject FIR was registered against the petitioner No.1 (husband) and his family members, who are the other petitioners in the present writ petition.

Subsequent thereto with the intervention of elders in the family and friends the parties to the union i.e. petitioner No. 1 (husband) and respondent no.2 (wife) have reconciled their differences and have been living together

happily as husband and wife since May 2015.

In view of the foregoing, the respondent No.2 (wife), who is present in person and has been identified by the IO in the subject FIR, namely, SI Vinit Kumar, PS- Samai Pur Badli, states that she does not wish to proceed with the subject FIR and the proceedings arising therefrom.

Since the matrimonial dispute that led to the registration of the subject FIR has been amicably resolved and the parties to the marriage have since began to reside together, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

Resultantly, FIR No.237/2014 under Sections 406/498-A IPC registered at Police Station- Samai Pur Badli, Delhi and the proceedings arising therefrom are hereby set aside and quashed qua the petitioners.

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

SIDDHARTH MRIDUL, J

JANUARY 08, 2016

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