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

+ **CRL.M.C. 871/2017**

TEJ PAL

..... Petitioner

Represented by: Mr. Rajesh Kumar, Advocate
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Hirein Sharma, APP for
the State with SI Pritam Singh,
PS D Ariya Ganj.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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03.03.2017

Crl. M.A. No. 3679/2017 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. No. 3680/2017 (Delay in refiling)

For the reasons stated in the application, delay of 51 days in refiling the petition is condoned.

Application is disposed of.

CRL.M.C. 871/2017

By the present petition the petitioner seeks quashing of FIR No. 97/2011 under Sections 498A/406/34 IPC registered at PS Chandni Mahal, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating

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Officer submits that in the above noted FIR the six accused were arrayed however, the husband of the respondent No.2 and four other accused filed a petition earlier being Crl. M.C. No. 640/2015 wherein the above noted FIR and the proceedings pursuant thereto were quashed on the basis of compromise. However, since the petitioner was not impleaded as an accused in the said petition, the proceedings qua him continued. He states that the petitioner is the only surviving accused in the present FIR and the respondent No.2 the only complainant/victim.

The complainant/Respondent No. 2 Ms. Mamta @ Manisha, who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioner and all other family members including her husband and is living with her husband since May, 2014 in the matrimonial home with all other family members. She states that now she has no cause of grievance and she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by learned counsel affirms the statement of respondent No.2 and state no cause of grievance will be given to the respondent No.2 in leading a happy married life.

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. 97/2011 under Sections 498A/406/34 IPC registered at PS Chandni Mahal, 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,

MARCH 03, 2017
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