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

+ CRL.M.C (CRL) 2519/2017

SANJIT BISWAS

..... Petitioner

Through Mr. Robin Singh Sirohi, Advocate and
petitioner in person.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through: Ms. Aashaa Tiwari, APP, for the State
with SI Umesh Yadav, P.S. Tilak Nagar, Delhi.
Mr. Chirag Khurana, Advocate for R-2 along with
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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11.09.2017

1. Status report has been filed.
2. Respondent No.2 appears in person. She is being represented by her counsel. She is duly identified by IO SI Umesh Yadav.
3. The petitioner has approached this court under Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.967/2014 registered on 29.08.2014 against him with Police Station Tilak Nagar, West District Delhi, under Sections 323/354A/452/506/34 IPC on the complaint of respondent No.2.
4. The marriage of the petitioner with the respondent no. 2 was solemnized on 21.02.2011 as per Hindu rites and ceremonies. Due to some differences between the petitioner and the respondent no.2, they

had not cohabited with each other and the marriage was not consummated. Hence, no child was born out of the said wedlock. The respondent No.2 left the matrimonial home on the same day of the marriage.

5. The respondent no. 2 lodged a complaint with CAW Cell which culminated into said FIR against the petitioner. She also filed a petition for the annulment of marriage under Section 12 of the Hindu Marriage Act, 1955 (in short HM Act”) before the learned Principal Judge (West), Tis Hazari Courts, Delhi.
6. Subsequently on 11.4.2016 the petitioner and respondent No.2 had amicably settled and resolved all their disputes before the learned Principal Counsellor attached to the court of learned Principal Judge (West), Tis Hazari Courts, Delhi.
7. Pursuant to the settlement, a decree of divorce by mutual consent was granted on 07.07.2017 by the court of learned Principal Judge, Family Courts, West District, Tis Hazari Courts, Delhi by which the marriage between the petitioner and the respondent no.2 was dissolved. At this stage, learned counsel for the petitioner handed over copies of documents including a copy of the decree sheet dated 07.07.2017 and same is taken on record. The petitioner and the respondent No.2 submit that they had amicably resolved and settled all their disputes without any force or coercion.
8. The respondent No.2 states that pursuant to the settlement she had withdrawn her petition under Section 12 of the Hindu Marriage Act, 1955. She states that she does not want to pursue the present FIR. She submits that the said FIR may be quashed.

9. Learned ASC through IO submits that the charge sheet has already been filed.
10. Both the parties submit that now nothing is due and recoverable by them against each other. When the matter had been amicably settled between the parties, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.967/2014 registered on 29.08.2014 with Police Station Tilak Nagar, West Delhi, under Sections 323/354A/452/506/34 IPC and proceedings arising out of the said FIR are hereby quashed.
11. The petition is disposed of accordingly.
12. DASTI.

VINOD GOEL, J.

SEPTEMBER 11, 2017

"sandeep"