

\$~25

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 838/2017
RAJESH CHADDA

..... Petitioner

Through: Mr.Manoj Nagar, Advocate.

versus

STATE & ANR

..... Respondents

Through: Mr.Raghwinder Varma, APP for State
with SI Aditya, P.S. Rajouri Garden,
Advocate.

R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **01.03.2017**

Crl.M.A.No.3544/2017 (Exemption)

Exemption granted, subject to all just exceptions

Application stands disposed of.

CRL.M.C. 838/2017 and Crl.M.A.No.3545/2017 (stay)

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.59/2013, under Sections 498-A/406/34 IPC, registered at P.S. Rajouri Garden, New Delhi and all subsequent proceedings arising therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner Rajesh Chadda and the respondent No.2/complainant Mrs.Manisha Arya @ Payal Chadda was solemnized on 09.09.2011 at Delhi according to Hindu rites and ceremonies and out of the said wedlock, one

baby girl Myra Chadda was born. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted into the registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties on 16.03.2013 and in terms of the said settlement, the respondent No.2 is living with the petitioner at Port Blair, Andaman Nicobar since 08.05.2013 and since then they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of both the parties and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer, SI Aditya, P.S. Rajouri Garden, New Delhi. The complainant admits that the matter has been amicably settled with the petitioner on 16.03.2013 and in terms of the said settlement, she has joined her husband/petitioner on 08.05.2013 and since then she is living happily and peacefully with her husband at Port Blair, Andaman Nicobar without any kind of complaint or grievance. She further submits that the said settlement arrived at with the petitioner is voluntary and without any force, pressure or coercion and she does not want any further action qua against her husband and has no objection, if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties and in terms of the said settlement, the respondent No.2/complainant has joined her

matrimonial home and now living with the petitioner happily and peacefully since 08.05.2013 and nothing further remains to be adjudicated between them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same.

Consequently, FIR No.59/2013, under Sections 498-A/406/34 IPC, registered at P.S. Rajouri Garden, New Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MARCH 01, 2017
'dc'