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

+ CRL.M.C. 1028/2017 and CrI. M.A. No. 4300/2017 (Stay)

S PREM CHANDRAN

..... Petitioner

Represented by: Mr. Indu Bhushan Vimal,
Advocate with petitioner and
son of petitioner and
respondent No.2 in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Ms. Rajni Gupta, APP for the
State with Inspector Raj Kumar
and SI Virendra Kumar, PS
Roop Nagar.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
01.05.2017

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By the present petition the petitioner seeks quashing of FIR No. 139/2016 under Sections 498A/307 IPC registered at PS Roop Nagar, 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 has handed over a status report, which is taken on record. As per the status report the above noted FIR was registered against the petitioner after the respondent No.2/wife of the petitioner was admitted in hospital with burn injuries and the petitioner was found to be under the influence of alcohol. After registration of the FIR charge sheet was filed however, thereafter a statement of respondent No.2 was recorded

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with the help of a translator namely Mr. Davis V. J. s/o Mr. Devassy Josef, r/o H.No.14, Ashoka Police Lines, Delhi. As per the statement of respondent No.2 on 6th March, 2016 she was cooking food on electric heater in the kitchen and was wearing maxi, which caught fire. Her husband tried to douse the fire and she was taken to hospital for treatment by PCR. She further stated that she is staying with her husband happily and she has no complaint against him.

The complainant/Respondent No. 2, who is present in Court and is identified by the Investigating Officer, though is not able to speak complete sentences either in English or in Hindi but in Hindi she has explained that she is living happily with her husband, has no cause of grievance and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. The son of petitioner and the respondent No.2 is also present in Court and is identified by the Investigating Officer. He has explained to the respondent No.2 in Malayalam, language known to the respondent No.2, who has reaffirmed that her mother wants quashing of the above noted 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 assures that there will be no cause of grievance to the respondent No.2 and he will take all due care that the respondent No.2 lives happily. The son of the petitioner and the respondent No.2 also affirms the statement of the petitioner and the respondent No.2.

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. 139/2016 under Sections 498A/307 IPC registered at PS Roop Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

Petitioner and respondent No.2 as well as son of petitioner and the respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

The petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 01, 2017
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