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

+ W.P.(CRL) 1075/2017

ANURAG SHARMA & ORS. Petitioners
Through: Mr. Pankaj Malik, Advocate.

versus

THE STATE & ANR. Respondents
Through: Mr. R.S. Kundu, ASC for the State
with SI Sandeep Shrivastava, P.S. Maurya
Enclave, Delhi.
Mr. Manoj Sharma, Advocate alongwith
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER
31.08.2017

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1. Status report has been filed.
2. Respondent no. 2 is present in person. She is being represented by her counsel. She is duly identified by the IO SI Sandeep Shrivastava.
3. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.99/2014, registered against them on 05.02.2014 with Police Station Maurya Enclave, North West District, Delhi, under Sections 498A/406/34 IPC, on the complaint of respondent No.2.
4. The marriage of the petitioner No.1 with the respondent no. 2

was solemnized on 09.07.2011 as per Hindu rites and ceremonies. After the solemnization of marriage, the couple started residing together at the matrimonial home. Out of this wedlock, one male child namely Ekaagra was born on 07.09.2012.

5. Due to some temperamental differences between the petitioner No.1 and the respondent no.2, they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home on 30.03.2013.
6. The respondent No.2. lodged a complaint with CAW Cell, Delhi which culminated into the said FIR against the petitioners. She had also filed a petition for maintenance u/s 125 of Cr.P.C. against the petitioner No.1 before the Family Court, Rohini, Delhi.
7. The petitioner No.1 instituted a petition u/s 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights in the Family Court, Gurgaon (Haryana).
8. The parties had resolved and settled all their disputes before the Counsellor attached to the Principal Judge, Family Court, Tis Hazari Courts, Delhi on 18.02.2017. The petitioner no.1 and respondent no.2 have decided to live together peacefully. Both the parties had agreed to withdraw their respective cases filed by them.
9. Pursuant to the settlement, the respondent No.2 submits that she had withdrawn her petition under Section 125 of Cr.P.C. The petitioner No.1 submits that he had withdrawn his petition for

restitution of conjugal rights u/s 9 of the Hindu Marriage Act, 1955.

10. Respondent No.2 present in the court states that she has settled the matter with the petitioners voluntarily, without any force or coercion. Both of them submit that now they do not have any dispute or problem with each other and have been residing peacefully w.e.f. 07.05.2017.
11. Respondent no.2 submits that in view of the settlement, she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
12. Since the parties have amicably settled all their disputes and the petitioner No.1 and respondent no.2 have been living together peacefully, no purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.99/2014, registered on 05.02.2014 with Police Station Maurya Enclave, North West District, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the same are hereby quashed.
13. The petition is disposed of accordingly.
14. Order *DASTI*.

VINOD GOEL, J.

AUGUST 31, 2017/
"sandeep"