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

+ W.P.(CRL) 1332/2017

ASHWANI MALIK & ORS Petitioners
Through Mr. Deepak Kumar, Adv. with
petitioners in person.

versus

THE STATE & ANR Respondents
Through Mr. Sanjay Lao, ASC for the State
with Mr. Siddharth Sindhu, Adv. along with SI
Devender Kumar.
Mr. Pramod Pandey, Adv. for R-2 along with
respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

% **ORDER**
25.07.2017

1. 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 for quashing of the FIR bearing No. 288/2016, registered on 21.03.2016 with Police Station Sarai Rohilla, Delhi, under Sections 498A/406//34 of IPC.
2. Status report has been filed.
3. Sh. Lao, learned Additional Standing counsel, through I.O. submits that charge sheet has not yet been filed.
4. The marriage of the petitioner no. 1 and the respondent no. 2 was

solemnized on 21st February, 2014 as per Hindu rites and customs. One male child Samanyu was born out of the wedlock on 12.11.2014.

5. Some differences cropped up between the petitioner No.1 and respondent No.2. The above said FIR in question was registered on the basis of the complaint filed by the respondent No.2. before CAW Cell, Subzi Mandi, Delhi.

6. The respondent appears in person. She is represented by Sh.Pramod Pandey, Advocate. She is duly identified by IO.

7. It is submitted that the matter has been amicably resolved by the parties before the learned Mediator, Mediation Centre, Tis Hazari Courts, on 13th May, 2016 and they have decided to live together peacefully.

8. Pursuant to the settlement, petitioner No.1 and respondent No.2 have been residing together peacefully. The respondent No.2 submits that she had withdrawn her petition under Section 12 of the DV Act from the Court of learned MM, Mahila Court, Tis Hazari Court. Petitioners and respondent No.2, who are present in Court, submit that now there is no dispute between them and the matter has been resolved amicably. Respondent No.2 submits that the said FIR may be quashed as she does not want to pursue the same.

9. In these circumstances, when the matter has been amicably settled between the parties and the petitioner No.1 and respondent No.2 are living together peacefully, no purpose would be served in further pursuing with the matter in the FIR bearing No. 288/2016, registered on 21.03.2016 with Police Station Sarai Rohilla, Delhi, under Sections 498A/406//34 of IPC. As such, to secure ends of justice, the FIR bearing No. 288/2016, registered on 21.03.2016 with Police Station Sarai Rohilla, Delhi, under Sections 498A/406//34 of IPC and proceedings arising out of the same are hereby

quashed.

10. The petition is disposed of.

JULY 25, 2017/jitender

VINOD GOEL, J.