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

+ W.P.(CRL) 1711/2017

MR. NEERAJ JAIN & ORS. Petitioners
Through Mr.Neeraj Thakkar, Adv. with
petitioner no.1 in person.

versus

STATE & ANR. Respondents
Through Mr.Rajesh Mahajan, ASC for State
with SI Rita, P.S. Prashant Vihar.
Mr.Pawan Vashisth, Adv. for R-2 with respondent
No.2 in person.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

ORDER
% **19.09.2017**

1. Respondent no.2 is present in court. She is being represented by her counsel. She is duly identified by IO SI Rita.
2. 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.769/2014, registered on 06.07.2014 against them with Police Station Prashant Vihar, Outer District, Delhi, under Sections 498-A/406/34 IPC on the complaint of respondent No.2.

3. The marriage of the petitioner no.1 with the respondent no. 2 was solemnized on 24.05.2001 as per Hindu rites and ceremonies in Delhi. Out of this wedlock, two female children namely Aarushi Jain and Anushka Jain were born on 01.09.2002 and 17.12.2003 respectively.
4. After solemnization of their marriage, the petitioner no. 1 and the respondent no. 2 started residing together in the matrimonial home.
5. As the petitioner no.1 had taken away both the children to his parental house, the respondent no. 2 lodged a complaint with CAW Cell which culminated into the said FIR.
6. The petitioner no.1 and the respondent no.2 submit that subsequently they had amicably settled and resolved all their disputes. They had decided to live together along with their minor children.
7. The respondent no. 2 states that she has voluntarily settled and resolved all her disputes with the petitioners without any force and coercion. The petitioner no. 1 and the respondent no. 2 submit that they have been residing together peacefully with their children since January 2015 and do not have any dispute or problem with each other. The respondent No.2 states she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
8. Learned ASC through IO submits that the charge sheet has already been filed.
9. Since the matter has been amicably settled between the petitioner no.1 and the respondent no. 2 and they are living together peacefully with their minor children, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.769/2014, registered on 06.07.2014 with Police Station

Prashant Vihar, Outer District, Delhi, under Sections 498-A/406/34
IPC and proceedings arising out of the said FIR are hereby quashed.

10. The petition is disposed of accordingly.
11. DASTI.

VINOD GOEL, J.

SEPTEMBER 19, 2017//jitender