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

+ W.P.(CRL) 2071/2017

ASHISH @ GAURAV & ORS. Petitioners

Through: Mr.Arvind Kumar, Advocate along
with petitioners in person.

versus

STATE Respondents

Through: Mr.Siddarth Sindhu, Advocate for
Mr.Sanjay Lao, ASC for the State with SI
Saroj, PS Kashmere Gate, Delhi.

Ms.Sneha Upadhyay, Advocate for R-2
along with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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31.08.2017

1. Respondent no. 2 is present in person. She is being represented by her counsel. She is duly identified by the IO SI Saroj.
2. The petitioners have invoked the writ jurisdiction of this court under Article 226/227 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. 40/2015, registered on 20.01.2015 with Police Station Kashmere Gate, Delhi, under Sections 498A/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 23.11.2012 as per Hindu rites and ceremonies. After the solemnization of marriage, the couple started residing at the matrimonial home. Out of this wedlock, one female child namely Kavya was born on 17.12.2013.

4. 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.
5. The respondent No.2. lodged a complaint with CAW Cell, Delhi which culminated into the said FIR against the petitioners.
6. Petitioner no. 2 is the mother of petitioner no. 1, the petitioner no. 3 is the brother of petitioner no. 1 and the petitioner no. 4 is the wife of petitioner no.3.
7. On making a reference by the court, both the parties appeared before the learned Mediator, Delhi Mediation Centre, Tis Hazari Courts, Delhi. On 05.07.2017, both the parties resolved and settled all their disputes before the learned Mediator. The petitioner No. 1 and respondent No.2 have decided to live together. Respondent No.2 present in the court states that she has settled the matter with the petitioners voluntarily, without any force or coercion. The petitioner no. 1 and the respondent no. 2 submit that now they do not have any problem or dispute with each other and are living peacefully since 15.07.2017.
8. 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.

9. Learned ASC through the IO submits that the charge sheet has not been filed.
10. Since the parties have amicably settled all their disputes, no purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 40/2015, registered on 20.01.2015 with Police Station Kashmere Gate, Delhi, under Sections 498A/34 IPC and proceedings arising out of the same are hereby quashed.
11. The petition is disposed of accordingly.
12. Order *DASTI*.

AUGUST 31, 2017

"shailendra"

VINOD GOEL, J.