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

+ **CRL.M.C. 546/2017**

SANJAY SAINI & ORS.

..... Petitioner

Represented by: Mr. P.K. Nayyar, Adv.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Roshan Lal PS
Nangloi.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.02.2017

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CrI.M.A. 2352/2017

For the reasons stated in the application delay of 25 days in refiling is condoned.

Application is disposed of.

CRL.M.C. 546/2017

By the present petition the petitioners seek quashing of FIR No. 175/2009 under Sections 498A/406/34 IPC registered at PS Nangloi, 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 on instructions from Investigating Officer submits that in the above-noted FIR 5 petitioners are the only accused and respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners when the proceedings were pending before the learned Principal Judge, Family Court. She states that she has been residing with her husband/ petitioner No.1 since 17th October, 2015 separately from the in-laws and has now no grievance against any of the petitioners. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners No.1, 4 and 5 are present in Court and are identified by the learned counsel. They affirm the statement of respondent No.2 and state that they will give no cause of grievance to respondent No.2 and ensure that petitioner No.1 and respondent No.2 lead a happy married life. Petitioner No.2 and 3 who are brothers of petitioner No.1 are on election duty and thus they are exempted from appearing before this Court.

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. 175/2009 under Sections 498A/406/34 IPC registered at PS Nangloi, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 09, 2017
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