

\$~45

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

+ CRL.M.C. 2858/2017

PREM CHAND @ GAGAN Petitioner

Through: Mr.Suresh Kumar, Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr.Izhar Ahmad, APP for State
Mr.Moti Prasad, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **26.07.2017**

CRL.M.A.11852/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2858/2017

This is a petition under Section 482 Cr.P.C. moved by the petitioner for quashing of FIR No.143/2012, under Section 498-A/406 IPC, P.S. Adarsh Nagar.

It is submitted by learned counsel for the petitioner that the petitioner got married with the respondent No.2 on 26.04.2007 according to Hindu rites and customs and out of the said wedlock two children were born. Counsel further submits that after the marriage misunderstanding has arisen between the parties, which resulted into registration of the said FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties before the Family Court, Rohini, Delhi, which has been reduced

into writing on 06.03.2013. Counsel further submits that the wife i.e. respondent No.2 has joined the matrimonial home on 06.03.2013 and there is no dispute between the husband and the wife.

Counsel further submits that since the matter has been amicably settled and nothing remains to be adjudicated between them, the FIR in question, which is coming as a hurdle in the peaceful life and matrimonial relations of the petitioner and the respondent, may be quashed.

The respondent No.2/complainant is present in person and has been identified by her counsel Mr.Moti Prasad, Advocate and admits that she has amicably resolved all disputes with the petitioner voluntarily without there being any threat, coercion or pressure of any sort. She further submits that she has already joined the matrimonial home and living peacefully in the matrimonial home happily. She also submits that she has no objection, if the FIR in question is quashed.

Since the matter has been settled between the parties and the complainant/ respondent No.2 along with children are residing with the petitioner in the matrimonial home happily, no useful purpose will be served to continue with the proceedings. In the interest of justice and to enable the parties to maintain their matrimonial relations, the FIR No.143/2012, under Section 498-A/406 IPC, P.S. Adarsh Nagar and all the proceedings arising therefrom are quashed.

The petition stands disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

JULY 26, 2017/km