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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2324/2017

Rohit Kumar @ Sonu

..... Petitioner

Through: Mr. Rajtilak G. Roy, Advocate.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.... Respondents

Through: Mr.Sanjay Lao, ASC for State with SI
Jasmer Singh, PS Jahangir Puri, Delhi.

Ms. Neha Gupta, Advocate for R-2 along with
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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12.10.2017

1. Notice. Learned ASC, who appears on an advance copy having been served, accepts notice.
2. Notice to respondent no. 2 also. She appears in person and accepts notice. She is duly identified by IO SI Jasmer Singh.
3. The petitioner has 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.P.C.') for quashing of the FIR bearing No. 250/2017, registered against him on 07.06.2017 with Police Station Jahangirpuri, Distt. North-West, Delhi under Section 363 IPC on the complaint of respondent No.2 regarding her missing daughter, who is stated to have left the house at 11 PM on that day.
4. Learned counsel for the petitioner submits that the petitioner has performed marriage with the missing daughter of respondent No.2 as

both have attained the age of majority. The marriage was performed at Arya Samaj Mandir, Harit Vihar, Delhi on 07.06.2017. The said missing daughter of the complainant namely Ms. Aanchal Mittal is present in the Court along with the petitioner. The petitioner has placed on record the affidavit of the daughter of the complainant namely Ms. Aanchal Mittal, wherein she had testified that she had voluntarily performed the marriage with the petitioner on 07.06.2017. As per the copy of the Aadhar Card placed on record, the date of birth of Ms. Aanchal Mittal is 04.01.1998. The respondent No.2 has already filed her affidavit. She submits that she has no objection with regard to the marriage of the petitioner with her daughter namely Ms.Aanchal Mittal. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.

5. Learned ASC through the IO submits that the charge sheet has so far not been filed.
6. In the facts and circumstances of the case, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 250/2017, registered on 07.06.2017 with Police Station Jahangir Puri, North-West, Delhi under Section 363 IPC and proceedings arising out of the said FIR are hereby quashed.
7. The petition is disposed of accordingly.
8. *DASTI.*

VINOD GOEL, J.

OCTOBER 12, 2017

“sandeep”