

\$~48

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

+ CRL.M.C. 3494/2017 & Crl. M.A. no. 14208/2017

BASHRAT HUSAIN Petitioner

Through : Mr. S. Hasan M. Zaidi, Adv.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through : Mr. Amit Gupta, APP with SI Dheer Singh, P.S. Mayur Vihar for respondent no. 1
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **31.08.2017**

It is submitted that after resolving their differences, petitioner (husband) and respondent no.2 (wife) have started living together since 8th July, 2014, therefore, FIR No. 373/2004 under Sections 498-A/406/34 IPC registered at police station Mayur Vihar, may be quashed. It is submitted that factum of settlement has also been recorded in the mediation proceeding dated 27th June, 2015 held before the Mediation Centre, Karkardooma Courts, Delhi.

Respondent no.2 is present in Court and has been identified by SI Dheer Singh, P.S. Mayur Vihar. Respondent no.2 admits having settled the

matter with the petitioner of her own free will and without any undue force, pressure or coercion and is living with the petitioner happily since 8th July, 2014; therefore, she is not willing to pursue the FIR any further and the same may be quashed.

Keeping in mind that husband and wife have started living together after ironing out their differences, in my view, no fruitful purpose would be served in keeping them entangled in criminal proceedings. Accordingly, in the interest of justice, FIR No. 373/2004 under Sections 498-A/406/34 IPC registered at police station Mayur Vihar and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

AUGUST 31, 2017

rb