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

+ **W.P.(CRL) 2445/2017**

RAM KUMAR @ AJAY & OTHERS Petitioners
Through: Mr. Lokesh Kumar Mishra,
Advocate.

versus

STATE GOVT OF NCT OF DELHI & ANR..... Respondents
Through: Ms. Malika Parmar, Advocate for
Ms. Richa Kapoor, ASC for the State with
ASI Jitender, P.S. New Ashok Nagar, New
Delhi.
Respondents No.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **28.08.2017**

Crl.M.A. 13963/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 2445/2017

1. Notice. Learned ASC for the State, who appears on an advance copy, accepts the notice.
2. Notice to respondents No.2 and 3 also. They are present and accept the notice. They are duly identified by the IO ASI Jitender.
3. The petitioners have 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.PC') for quashing of the FIR bearing No.679/2014, registered on 14.06.2014 with Police Station New Ashok Nagar, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.3.

4. The marriage of the petitioner No.1 with the respondent no. 2 was solemnized on 28.11.2005 as per Hindu rites and ceremonies in Delhi. After the solemnization of marriage, the couple started residing at the matrimonial home. Out of this wedlock, one female child namely Varsha was born on 14.06.2007.
5. 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 in the year 2014. The mother of the respondent No.2. i.e. respondent No.3 lodged a complaint which culminated into the said FIR against the petitioners.
6. On 17.02.2017, the respondents No.2 & 3 and the petitioner no.1 amicably resolved and settled all their disputes. The petitioner No.1 and respondent No.2 have decided to live together. Respondent No.3 present in the court states that she has settled the matter with the petitioner voluntarily, without any force or coercion. Respondent No.2 submits that she has been residing peacefully with the petitioner No.1 for about last 2 years. Both the respondents No.2 and 3 submit that in view of

the settlement dated 17.02.2017, they do not want to pursue the said FIR. They submit that the said FIR may be quashed.

7. Learned counsel appearing for the State through the IO submits that the charge sheet in the matter has not been filed.
8. 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.679/2014, registered on 14.06.2014 with Police Station New Ashok Nagar, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the same are hereby quashed.
9. The petition is disposed of accordingly.
10. *Dasti.*

AUGUST 28, 2017

"sandeep"

VINOD GOEL, J.