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

+ W.P.(CRL) 2613/2017

PRAVEEN ARORA & ORS

..... Petitioners

Through: Mr.S.S. Bagga, Advocate along with
petitioner no.1 in person.

versus

THE STATE & ANR

..... Respondents

Through: Mr.Ashish Aggarwal, ASC for the State
along with IO SI Sandeep Kumar, PS Rani Bagh,
Delhi.

Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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11.09.2017

Crl.M.A. 14966/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 2613/2017

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 the notice. She is duly identified by IO SI Sandeep Kumar.
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. 389/2015 registered against them on 25.05.2015 with Police Station Rani Bagh, North-West District, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.2.

4. The marriage of the petitioner no.1 with the respondent no. 2 was solemnized on 30.11.2007 as per Hindu rites and ceremonies in Delhi. Out of this wedlock one female child namely Priyanshi Arora was born on 14.02.2009
5. After solemnization of their marriage, the petitioner no. 1 and the respondent no. 2 started residing together in the matrimonial home. 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 along with their child on 03.10.2014 and started residing separately with her parents.
6. The respondent no. 2 lodged a complaint with CAW Cell which culminated into the said FIR.
7. Subsequently, the petitioner no. 1 and the respondent no. 2 had amicably settled and resolved all their disputes. They had decided to live together along with their minor child. The petitioner no. 1 had undertaken to give due care, love and affection to his wife and child and maintain them properly. The respondent no. 2 states that she has voluntarily settled and resolved all her disputes with the petitioners without any force and coercion. The petitioner no. 1 and the respondent no. 2 submit that they have been residing together peacefully since 10.01.2017 and do not have any dispute or problem with each other. The respondent No.2 states she does not want to

pursue the said FIR. She submits that the said FIR may be quashed.

8. Learned ASC through IO submits that the charge sheet has not been filed.
9. Since the matter has been amicably settled between the petitioner no.1 and the respondent no. 2 and they are living together peacefully with their minor child, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 389/2015 registered on 25.05.2015 with Police Station Rani Bagh, North-West District, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed.
10. The petition is disposed of accordingly.
11. DASTI.

VINOD GOEL, J.

SEPTEMBER 11, 2017

"shailendra"