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

+ **W.P.(CRL) 2997/2017**

KAILASH CHAND GOYAL & ORS Petitioners

Through: Mr.Kamal Garg, Advocate with
petitioners No.1 and 2 in person.

versus

STATE NCT OF DELHI & ANR Respondents

Through: Mr.R.S.Kundu, ASC for the State/R-1
with SI Virender Kumar, PS Keshav
Puram.
Respondent No.2/complainant in
person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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30.10.2017

Crl.M.A.No.17512/2017

1. Exemption allowed subject to all just exceptions.
2. Application is disposed of.

W.P.(CRL) 2997/2017

1. By way of present writ petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., the petitioners seek quashing of FIR bearing No.464/2016 under Sections 498-A/406/34 IPC, P.S. Keshav Puram, Delhi and all the proceedings arising therefrom.
2. Brief facts leading to filing of this petition are that marriage between petitioner No.1 and respondent No.2/complainant was solemnized on

04.02.2014 at Delhi according to Hindu rites and ceremonies. Out of the said wedlock, a male child namely Master Naitik was born on 6th May, 2015. However, due to certain temperamental difference, the respondent No.2 left the company of petitioner No.1 and went to her parental house in June, 2016 and did not come back to her matrimonial home. Thereafter, the respondent No.2 lodged a complaint at PS Keshav Puram on the basis of which a case FIR No.464/2016 under Section 498-A/406/34 IPC was registered at PS Keshav Puram against the petitioners.

3. It is stated in the petition that during the pendency of proceedings, the parties arrived at an amicable settlement and started living together w.e.f. 24th April, 2017.

4. Learned counsel for the petitioners submits that petitioners No.3 to 5 are not present today. He further submits that the petitioner No.1 and the respondent No.2 have amicably resolved their dispute with the intervention of family members and common friends/relatives. The petitioner No.1-husband and respondent No.2-wife have now once again started living together peacefully and happily alongwith their son. Learned counsel for the petitioners submits that since the parties have resolved their issues amicably and are living together happily, no useful purpose would be served by continuance of criminal proceedings against the petitioners. Counsel thus prays for quashing of the FIR and all subsequent proceedings arising out of said FIR qua the petitioners.

5. Respondent No.2 is present in Court today and she also confirms the factum of amicable settlement with the petitioners. She submits that she is living happily with her husband son and she has no grievance left against the petitioners. She further submits that she has no objection if the FIR in

question and all subsequent proceedings arising out of the same are quashed.

6. In view of the aforesaid amicable settlement arrived at between the parties, particularly the fact that the parties are living together happily with their son, I am of the considered view that no useful purpose would be served by continuing with the FIR/ criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

7. Accordingly, the petition is allowed and FIR bearing No.464/2016 under Sections 498-A/406/34 IPC, P.S. Keshav Puram, Delhi and all the proceedings arising therefrom are hereby quashed, leaving the parties to bear their own costs.

PRATIBHA RANI, J.

OCTOBER 30, 2017

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