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

+ **W.P.(CRL) 3109/2017**

UMESH CHAND & ORS

..... Petitioners

Through: Mr.R.K.Gautam, Advocate with
Petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondents

Through: Ms.Richa Kapoor, ASC for the State
with ASI Rajinder Singh, PS Alipur
Mr.Rahul Nagpal, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.11.2017

CRL.M.A.18312/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 3109/2017

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 are seeking quashing of FIR No.690/2015 under Sections 498-A/406/34 IPC, P.S. Alipur, 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 21st May, 2013 according to Hindu rites and ceremonies. Out of the said wedlock, a male child was born on 3rd October, 2014. However, due to

certain temperamental difference, the respondent No.2 lodged a complaint against the petitioners before Crime Against Women Cell, Rohini which resulted into the said FIR.

3. It is stated in the petition that during the pendency of proceedings, with the intervention of the relatives/family members of both the parties have amicably settled their disputes before the mediation center Rohini Courts and started living together. Copy of the settlement is annexed along with the petition as Annexure-C.

4. Learned counsel for the petitioners submits that petitioners and respondent No.2 have amicably resolved their dispute and started living together peacefully. 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, 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 No.690/2015 under Sections 498-A/406/34 IPC, P.S. Alipur, Delhi and all the proceedings arising therefrom are hereby quashed, leaving the parties to bear their own costs.

Order *dasti*.

PRATIBHA RANI, J.

NOVEMBER 09, 2017

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