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

+ **W.P.(CRL) 3349/2017**

MAHENDRA KUMAR & ORS Petitioners

Through: Mr.M.K.Khan, Advocate with
petitioners in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Ms.Srilina Roy, Advocate for
Ms.Nandita Rao, ASC for the State
with ASI Sunil Kumar PS Khyala
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **29.11.2017**

CRL.M.A.19678/2017

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

W.P.(CRL.) 3349/2017

1. This petition under Article 226 of the Constitution of India, read with Section 482 Cr.P.C. has been filed by the petitioners seeking quashing of FIR No.145/2017, under Sections 498A/406/34 IPC, registered at PS Khyala and the consequential proceedings emanating therefrom.
2. Notice. Learned counsel as above appearing on behalf of Standing Counsel for the State accepts notice on behalf of the State.
3. Brief facts leading to filing of this petition are that marriage between

petitioner No.1 and respondent No.2/complainant was solemnized on 6th May, 2013 according to Hindu rites and ceremonies. Due to temperamental differences, some disputes arose between the petitioner No.1 and Respondent No.2 and they started living separately since 14th October, 2015. Thereafter, the respondent No.2 lodged a complaint against the petitioners before CAW Cell, West District, Kirti Nagar, Delhi which resulted into registration of the FIR in question.

4. Learned counsel for the petitioners submits that with the intervention of respective family members, elders and well-wishers, both the parties have amicably resolved all their disputes and the respondent No.2/complainant has joined the company of petitioner No.1 with her free will and without any pressure or threat from any corner. Copy of the Compromise Deed is annexed along with this petition as Annexure B.

5. Learned counsel for the petitioners further submits that since the respondent No.2/complainant and the petitioner No.1 are living together as husband and wife since 13th August, 2017 and as per settlement there is no dispute left between the parties and they do not want any further proceedings, the FIR in question may be quashed.

6. Respondent No.2 is present in Court today and she also confirms the factum of amicable settlement with the petitioners. She submits that she does not wish to continue criminal proceedings against the petitioners and she has no objection if the FIR in question and all consequent proceedings arising therefrom qua the petitioners are quashed.

7. In view of the aforesaid amicable settlement arrived at between the parties, 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.

8. Accordingly, the petition is allowed and FIR No.145/2017, under Sections 498A/406/34 IPC, registered at PS Khyala and all the proceedings arising therefrom are hereby quashed.

Order *dasti*.

PRATIBHA RANI, J.

NOVEMBER 29, 2017

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