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

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Judgment delivered on: 30.08.2018

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CRL.M.C. 4403/2018

FATEH CHAND SHARMA & ORS

..... Petitioners

versus

STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr.Ajay Gulati, Adv.

For the Respondents: Mr.Kamal Kr.Ghai, APP with ASI Surinder Dutt,
P.S.Hari Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.31030/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4403/2018

1. The petitioners seek quashing of FIR No.29/2013 under Sections 498A IPC, Police Station Adarsh Nagar.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the grandfather of petitioner No.4, the husband and

is stated unwell and presently at Sonapat. Learned counsel for the petitioners submits that call was received in the morning and petitioner No.4 had to rush to Sonapat to take care of his grandfather. He prays that they may be exempted from personal appearance. In view of the above and the affidavits filed in support of the petition, they are granted exemption from personal appearance.

3. As per the FIR, allegations are also made against Pawan Kumar, brother-in-law of the complainant, however, as informed by APP no chargesheet was filed against him as investigation did not reveal any incriminating material against him.

4. Learned counsel for the petitioners submits that the parties have reconciled their disputes and are amicably residing together as husband and wife since 1st May, 2013.

5. The respondent No.2 is present in person and is identified by the Investigating Officer. She submits that she has amicably resolved the disputes with her husband and they are now cohabiting together. She submits that she does not wish to press charges against the petitioners and has no objection to the quashing of the subject FIR.

6. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and have started living together and further the respondent No.2 has stated that she does not wish to press the complaint any

further, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

7. In view of the above, the petition is allowed. FIR No.29/2013 under Sections 498A IPC, Police Station Adarsh Nagar, New Delhi and the consequent proceedings emanating there from are quashed.

8. Order *Dasti* under the signatures of the Court Master.

AUGUST 30, 2018
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SANJEEV SACHDEVA, J