

\$~40

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

+ CRL.M.C. 4637/2018 and Crl. M.A. no. 31956/2018

UDAY SINGH

..... Petitioner

Through Mr. D.P. Singh, Adv. with petitioner
in person

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondents

Through Mr. M.S. Oberoi, APP with SI Jasmer
Singh, P.S. Jahangir Puri
Mr. Brijesh Kumar, Mr. Jitendra
Kumar and Mr. Vinod Kumar, Adv.
with respondent nos. 2 and 3 in
person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **13.09.2018**

Notice. Learned APP accepts notice for respondent no. 1.
Respondent nos.2 and 3, namely, Ms. Seema and Ms. Maya are present in
Court along with their counsel and accept notice. They have been identified
by SI Jasmer Singh of police station Jahangir Puri.

Respondent no.3 is mother of respondent no. 2. FIR no. 616/2009
under Section 363 IPC was registered at Police Station Jahangir Puri on the
complaint of respondent no. 3. Respondent no. 3 alleged in the FIR that her
daughter aged about 16 years was found missing from the house. Petitioner

was arrested and respondent no. 2 was recovered. It is submitted that on the date of lodging of the aforesaid FIR, that is, 1st December, 2009, respondent no. 2 was major as her date of birth is 15th September, 1991. It is further submitted that petitioner was granted bail on 27th January, 2010. Their family members got the petitioner and respondent no. 2 married. Respondent no. 2 is living with the petitioner for the last eight years. Respondent nos. 2 and 3 admit this fact and have no objection in case aforesaid FIR and consequent proceedings emanating therefrom are quashed against the petitioner. Affidavits of respondent nos. 2 and 3 to this effect are also on record.

Keeping in mind the settlement arrived at between the petitioner and respondent nos. 2 and 3 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

SEPTEMBER 13, 2018
r.bararia