

\$~2

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

+ **CRL.M.C. 4939/2018 & CRL.MA.33044/2018**

MANMOHAN LAL ARORA Petitioner

Through **Mr.M.P.Singh, Adv.**

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Through **Mr.Raghuvinder Verma, APP** with
W/ASI Sushma, PS Uttam Nagar.
Mr.Ajay Kumar, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **01.11.2018**

1. Vide the present petition u/s 482 CrPC, the petitioner seeks quashing of FIR No.0762/2018 u/s 354 IPC at P.S Uttam Nagar, Delhi and all proceeding emanating therefrom, based on a compromise deed dated 19.09.2018.

2. Mr.M.P.Singh, learned counsel for the petitioner submits that the petitioner lives in a small house in Uttam Nagar owned by his wife, alongwith his two sons and the respondent no.2, who is the wife of his elder son. He further submits that since the parties live in the same property, a quarrel took place between the petitioner and the respondent no.2 and the respondent no.2 under a misunderstanding, lodged a complaint against the petitioner, leading to registration of the aforesaid FIR u/s 354 IPC.

3. Mr.Singh submits that after the registration of the aforesaid FIR, the parties with the intervention of their family members have resolved their disputes. He draws my attention to the fact that the respondent no.2 has even in her statement u/s 164 CrPC recorded by the Investigating Officer clearly stated that the complaint had been lodged by her under a misunderstanding over a minor quarrel between the parties. He, therefore, prays that the captioned FIR which was the outcome of a petty quarrel between family members be quashed.

4. The petitioner as also the respondent no. 2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 in Chambers in the presence of Mr.Raghuvinder Verma, learned APP, wherein she has once again categorically stated that the complaint was lodged by her due to a misunderstanding and she has now entered into a compromise with the petitioner of her own free will and without any coercion. She further states that she is happily living with her husband alongwith the petitioner in the same house. He, therefore, prays that the FIR and the consequential criminal proceedings be quashed.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the FIR basically emanates from a dispute between the parties, who are family members, which already stands resolved as also the fact that the complaint lodged by the respondent no.2 was a result of a misunderstanding and she does not wish the criminal proceedings to continue, no useful purpose would be served in continuing with the criminal proceedings against the petitioner. In my considered view,

the ends of justice demand that the FIR and consequent proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to costs of Rs. 10,000/- payable by the petitioner to Delhi High Court Staff Welfare Fund within two weeks from today. A copy of the receipt of the costs will be handed over to the Investigating Officer to be produced before the learned Trial Court on the next date.

7. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 01, 2018

sr