

\$~23

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

+ CRL.M.C. 3814/2017 & Crl. M.A. no. CRL.M.A. 15407/2017

CHITRALEKHA & ORS

..... Petitioners

Through

Mr. Sriram P., Mr. Sidhant Sinha and
Mr. Gireesh Kumar, Advs. for
petitioner nos. 1 to 3
Mr. Mohit Gupta, Adv. for petitioner
no. 4

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through

Ms. Meenakshi Dahiya APP with SI
Kamal Kishore and SI Inderjeet
Singh, DIU/SD
Ms. Geeta Luthra, Sr. Advocate with
Mr. Sanjeev Sahay, Ms. Petar
Chandhok and Mr. Pratyosh Prasana,
Advs. for respondent no. 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

20.03.2018

By this petition under Section 482 Cr.P.C., petitioners have prayed for quashing of the FIR No. 709/2015 under Sections 323/406/506/34 IPC registered at Police Station Malviya Nagar. It is noted that petitioner nos. 1 and respondent no. 2 were married on 10th July, 2013. On account of marital discord, they could not live together for long. Subsequently, an agreement

was arrived at between the petitioner no. 1 and respondent no. 2 vide Annexure P-5. Pursuant thereof, petitioner no. 1 has withdrawn the petition under Section 125 Cr.P.C., inasmuch as their marriage has already been dissolved by a decree of divorce dated 30th September, 2016 passed by the Family Court, Ernakulam District, vide Annexure P-14. This fact has not been disputed by the respondent no. 2 present in Court. Statements of petitioner nos.1 and 2 have been recorded separately on oath. Petitioner no. 2 has deposed that she has neither filed any case nor complaint against the respondent no. 2, inasmuch as nor has any intention to do so. Petitioner no. 1 has stated that she had filed certain complaints before certain authorities including National Commission of Women, National Human Rights Commission, New Delhi, Commissioner of Police, New Delhi, Dy. Commissioner of Police, New Delhi, NCW of Delhi and Kerala and Home Ministry, after the agreement was arrived at. However, she has undertaken to withdraw the said complaints within one month. She has already apologised for making complaints before the said authorities. She has assured and undertaken that she will not file any case against the respondent no. 2.

In view of the statements made by the petitioner nos. 1 and 2 in Court

today and agreement having been reached between the parties, respondent no. 2 has no objection in case FIR is quashed.

Keeping in view the settlement arrived at between the petitioners and respondent no. 2 voluntarily, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No. 709/2015 under Sections 323/406/506/34 IPC registered at Police Station Malviya Nagar and the 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.

MARCH 20, 2018

r.bararia