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

+ CRL.M.C. 6013/2018 & CrI.M.A. No.48277/2018

RAVINDER

..... Petitioner

Through: Mr.Saurabh Jhamb, Adv. with
petitioner in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Through: Mr.Raghuvinder Verma, APP with SI
Shailendra Kr. Singh, PS Gokul Puri.
Mr.Deepak Kumar, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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29.11.2018

1. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No.144/2013 u/s 498A/406/34 IPC registered at P.S. Gokul Puri, Delhi and all proceedings emanating therefrom on the basis of a settlement deed executed between the parties on 12.08.2018.

2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on 10.11.2008 as per Hindu rites and ceremonies and they were blessed with two children. However, due to some temperamental differences, the parties started living separately w.e.f. 27.05.2012, whereafter the respondent no.2 filed a complaint which in turn, led to the registration

of the captioned FIR against the petitioner.

3. Learned counsel for the petitioner submits that subsequently, with the intervention of elder members of the family, the parties have resolved all their differences and have entered into a settlement dated 12.08.2018 and have also been living together. He further submits that as per the settlement, the parties are now living a happy married life and, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioner as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. Respondent no.2 is represented by a counsel. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioner of her own free will and is now happily residing with the petitioner since May, 2018. She further submits that keeping in view the fact that the future of her children is also involved, she does not want the aforesaid criminal proceedings to continue any further, as it will disrupt her marital life.

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 emanates from a matrimonial dispute which already stands resolved between the parties, as a result whereof the petitioner and the respondent no. 2 are now living a happy married life, I find that no useful purpose will be served in continuing with the criminal proceedings. In my view, the ends of justice demand that the FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the

captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioner paying a sum of Rs.5,000/- as costs to the 'Home for Leprosy and T.B. Affected Beggars' within two weeks from today. A copy of this order be sent to the Superintendent, Home for Leprosy and T.B. Affected Beggars, Tahir Pur, Delhi-110093 for information. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

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

REKHA PALLI, J

NOVEMBER 29, 2018

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