

\$~21

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

+ **CRL.M.C. 6028/2018**

KRISHAN @ KISHAN

..... Petitioner

Through: Ms.Simantini Paul & Mr.Jai S. Thakur,
Advts. with petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Ms.Manjeet Arya, APP with SI Pooja,
PS Model Town.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

11.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioner seeks quashing of FIR No.0197/2014 registered u/s 363 IPC at Police Station Model Town, Delhi.

2. Learned counsel for the petitioner submits that the petitioner and respondent no.2 were residents of the same area and were known to each other for a very long time. She submits that though the petitioner and the respondent no.2 were keen to get married, the parents of the respondent no.2 were averse to the said marriage since the parties belong to different castes. She submits that in these circumstances, the respondent no.2 voluntarily left her parental home and the parties got married on

12.02.2014. Thereafter, based on a complaint filed by the respondent no.2's mother, respondent no.3/Ms.Sonvati, the captioned FIR was registered against the petitioner.

3. Learned counsel for the petitioner further submits that after the marriage, the parties were blessed with one baby girl, who is aged about four years and the respondent no.2 is once again pregnant. She states that keeping in view the fact that the respondent no.2 is living a happy married life with the petitioner, respondent no.3/complainant has decided to amicably resolve her disputes with the petitioner who is now her son-in-law. She, therefore, prays that the captioned FIR and proceedings emanating therefrom be quashed.

4. The petitioner as also respondent nos.2 and 3 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.3 who confirms the fact that she was opposed to the said marriage between the petitioner and the respondent no.2 as they belong to different castes. She, however, submits that since her daughter/respondent no.2 has been living happily with the petitioner, she has decided to resolve her disputes with the petitioner out of her own free will and without any coercion. She also prays that the captioned FIR and proceedings emanating therefrom may be quashed but states that she does not want to maintain any relationship with the respondent no.2.

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 out of a dispute arising as a result of an inter-caste marriage

between the petitioner and the complainant's daughter as also the fact that the respondent no.3/complainant herself does not want the proceedings to continue any further, no useful purpose will be served in continuing with the aforesaid criminal proceedings. The ends of justice demand that the captioned 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.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 11, 2018

gm