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

+ CRL.M.C. 6294/2018 & CrI.M.A. No.49421/2018

ANURAG KUMAR SINGH & ORS

..... Petitioners

Through: Mr.H.S. Yadav, Adv. with petitioner
nos.1 and 3 in person.

versus

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

Through: Mr.Mukesh Kumar, APP with SI
Ramesh Kumar, PS Sultan Puri.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **12.12.2018**

1. At the outset, learned counsel for the petitioners submits that the petitioner no.2 who is the father of petitioner no.1 and husband of petitioner no.3, could not appear before the Court today due to his ill health. He, therefore, makes an oral request for granting exemption to him from personal appearance before this Court. The request is not opposed by Mr.Mukesh Kumar, learned APP. Keeping in view the fact that the petitioner nos.1 and 3 are duly present and the petitioner no.2 is stated to be over 70 years of age as also the fact that the parties have been living together happily, the petitioner no.2 is granted exemption from personal appearance before this Court.

2. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No.185/2013 u/s 498A/406/34 IPC registered at P.S. Sultan Puri, Delhi and all proceedings emanating therefrom on the basis of a Memorandum of Understanding executed by the parties on 04.08.2018.

3. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 24.06.2012 as per Hindu rites and ceremonies. However, due to a misunderstanding, the parties started living separately w.e.f. 21.11.2012 itself, whereafter the respondent no.2 filed a complaint which led to the registration of the captioned FIR against the petitioners.

4. Learned counsel for the petitioners submits that subsequently, with the intervention of common friends and elder members of the family, the parties have resolved all their differences amicably and have been living together w.e.f. 10.06.2016. He further states that the parties have now have entered into a settlement and a Memorandum of Understanding has been executed by them on 04.08.2018. 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.

5. The petitioner nos.1 and 3 as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will and is now happily residing with the petitioners for the last 2 ½

years. She also states that she has no complaint whatsoever of any kind against them and does not want the aforesaid criminal proceedings to continue any further, as it will disrupt her marital life. She, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

6. 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 no.1 and the respondent no. 2 are now living a happy married life, no useful purpose will be served in continuing with the criminal proceedings. The ends of justice demand that the FIR and consequential proceedings be quashed.

7. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed.

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

REKHA PALLI, J

DECEMBER 12, 2018

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