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

+ **W.P.(CRL) 594/2019 & CrI. M.A. No.4161/2019**

RAKESH KUMAR & ORS. Petitioners

Through: Mr. C. M. Thapliyal, Advocate with
Petitioners in person.

Versus

THE STATE & ANR. Respondents

Through: Ms. Kamna Vohra, Additional Standing
Counsel with SI R.Yadav, P.S. Sultanpuri.
Mr. Manoj Kumar and Mr. S. P. Paul,
Advocates for Respondent No.2

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **25.02.2019**

This petition seeks quashing of FIR No. 757/2016, registered under sections 498-A/406/34 IPC at Police Station Sultanpuri, Delhi, on the basis of a complaint filed by respondent No.2 apropos a *lis* concerning her matrimony. Happily the *lis* is stated to have been settled on the basis of a settlement dated 12.07.2017 and it is stated that the petitioner No. 1 and the complainant have been living together since December, 2016. The complainant is present in the Court and is represented by a counsel. The latter states upon instructions that indeed it is so and respondent No.2 would not like to pursue her complaint any further.

The parties are present in the Court and have been identified by their respective counsel. The parties have re-iterated the terms of the aforesaid settlement and undertake to remain bound by the same. Since the complainant herself does not wish to pursue her complaint against the

petitioners, the substratum of the complaint/FIR dissipates and any further proceeding apropos the same FIR would be an exercise in futility. It would, therefore, be in the interest of justice to quash the FIR in question.

Following the dicta of the Supreme Court in *Gian Singh Vs. State of Punjab and Another (2012) 10 SCC 303*, *Narinder Singh & Ors. Vs. State of Punjab & Anr. 2014 6 SCC 466* and *Jitendra Raghuvanshi & Ors. Vs. Babita Raghuvanshi & Anr. (2013) 4 SCC 58*, a case is made out for quashing of the FIR.

Accordingly, FIR No. 757/2016, under sections 498-A/406/34 IPC was registered at Police Station Sultanpuri, Delhi, and all the proceedings arising therefrom are quashed.

The petition, alongwith pending application, stands disposed off in the above terms.

NAJMI WAZIRI, J.

FEBRUARY 25, 2019

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