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

*Date of decision: 05.11.2019*

+ CRL.M.C. 2714/2019

GAURAV THAPAR & ORS

..... Petitioners

Through Ms. Aparna, Adv with petitioner no.1  
in person

versus

THE STATE THROUGH GOVT OF NCT OF DELHI

..... Respondent

Through Mr. Izhar Ahmed, APP for State  
SI Ranvir singh, PS Roop Nagar  
Ms. Shilpi, Complainant/ R-2 in  
person

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**

**J U D G M E N T (O R A L)**

1. Vide the present petition, the petitioner is seeking directions thereby quashing the FIR No.192/2008 registered at P.S. Roop Nagar for the offences punishable under Sections 498A/406/34 IPC and all other proceedings emanating therefrom.

2. Notice issued.

3. Learned APP accepts the notice on behalf of the State and with the consent of the learned counsel for the parties, the present petition is taken up for final disposal.

4. The present petition has been filed on the ground that the petitioners and the respondent no.2 have amicably settled all their disputes with the intervention of elders, relative and friends. Thus, the respondent no.2 does not want to pursue the present case against the petitioners, any further.

5. The Respondent no.2, who is present in the Court, has been identified by the I.O. SI Ranvir Singh, states that her marriage with the petitioner no.1 has already been dissolved on 03.12.2018 and since she has got fed up with this case, which is going on since 2008, therefore, she does not wish to pursue the same. She therefore, has requested this Court to quash the aforementioned FIR with the proceedings emanating therefrom.

6. Learned APP appearing on behalf of the State submits that if this Court is inclined to quash the FIR, heavy costs may be imposed on the petitioner as the present case was registered way back in the year 2008 due to which the government machinery came into motion and a lot of valuable public time has been wasted. The police conducted investigation and filed the charge sheet, charges have been framed against the petitioners and the case is pending for prosecution evidence. It is also submitted that the respondent no.2 has already been examined.

7. Since the respondent no.2 does not wish to pursue the present case against the petitioners, therefore, while allowing the petition and quashing the aforementioned FIR, I hereby find force in the submissions of the learned APP for the State regarding imposition of costs. Accordingly, while quashing the FIR No.192/2008 registered

at P.S. Roop Nagar, I hereby impose a cost of ₹.50,000/- each upon the petitioners. The said cost amount shall be paid in favour of the Blind School, Kingsway Camp, New Delhi for the welfare of the inmates of the school.

8. In view of the above, the petition is allowed and FIR No.192/2008, registered at P.S. Roop Nagar for the offences punishable under Sections 498A/406/34 IPC and proceedings emanating therefrom are hereby quashed.

9. The cost imposed shall be paid within a period of two weeks from today, failing which the Registrar General of this Court shall ensure recovery of the cost amount from the petitioners, as per law.

10. Order *dasti* under signatures of the Court Master.

**(SURESH KUMAR KAIT)**  
**JUDGE**

**NOVEMBER 05, 2019**

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न्यायमेव जयते