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

Date of decision: 14.11.2019

+ CRL.REV.P. 116/2017 & CRL.M.A.2082/2017 & 701/2018

ASHOK KUMAR THAKUR Petitioner

Through Ms. Shobha Gupta, Ms. Ambika &
Mr. Rajesh Sachdeva, Advs.

versus

STATE & ANR. Respondent

Through Mr. Hirein Sharma, APP for State
Respondent no.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 seeks directions thereby setting aside the order dated 28.11.2019 and order dated 18.04.2016 passed by the learned Sessions Judge and order dated 30.08.2014 passed by learned Metropolitan Magistrate.

2. Notice issued.

3. Notice is accepted by learned APP for the State and respondent no.2, who is present in person and with the consent of the parties, the present petition is taken up for final disposal.

4. The petitioner and respondent no.2 got married on 14.02.1994 as per Hindu rites and rituals. Two children are born out of the wedlock, namely, Yash Thakur and Saloni Thakur. Due to extreme incompatibilities between

the petitioner and respondent no.2, they started living separately from December, 2006.

5. The petitioner and respondent no.2 with the intervention of their well wishers and relatives have entered into an amicable settlement and settled all their disputes and they have started living together.

6. The petitioner and respondent no.2 are present in person. Copy of their Aadhaar Card (bearing Nos. 536183003127 and 647308450124, respectively) have been seen. Respondent no. 2 submits that matter has been settled and she does not wish to prosecute the matter any further.

7. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioner any further.

8. For the reasons afore-recorded, the orders dated 28.11.2019 and 18.04.2016 passed by the learned Sessions Judge and order dated 30.08.2014 passed by learned Metropolitan Magistrate are hereby set aside.

9. In view of the settlement and the fact that the petitioner and respondent no.2 are staying together as husband and wife, all the proceedings pending *interse* are hereby quashed.

10. The petition is allowed accordingly.

12. Order *dasti*, under the signature of Court Master.

12. Pending applications stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 14, 2019

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