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

+ CRL.M.C. 4365/2019 & CRL.M.A. 34828/2019

ASHISH & ORS

..... Petitioner

Through Mr. R. C. Tiwari, Advocate.

versus

THE STATE & ORS

..... Respondent

Through Mr. Panna Lal Sharma, APP for State.
Mr. Sanjay Kumar, Advocate for
Respondents.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **02.09.2019**

Notice issued.

Learned APP as well as counsel for the respondents accepts notice.

With the consent of the parties, the present case is taken for final hearing.

Vide the present petition, the petitioner seeks direction thereby quashing FIR No. 387/2017, registered at PS–Sangam Vihar, New Delhi for the offences punishable under Section 308/34 IPC and all other proceedings emanating out of it.

In the present case, petitioner no.1 is husband of respondent no. 2, petitioner no.2 is mother-in- law, petitioner no.3 is sister- in- law (Nanad), petitioner no.4 is father- in- law, and petitioner no.5 is neighbour of respondent no. 2.

The present petition is filed on the ground that the parties have settled their disputes. Petitioner no. 1 is the husband of the respondent no. 2 and both are residing together after taking a separate accommodation on rent and the respondent no.2 has no objection if the present petition is allowed.

Respondent No. 2 is personally present in Court with learned counsel Mr. Sanjay Kumar and she has been identified by IO who states that matter has been settled and she does not want to prosecute the petitioners further. FIR in the present case is under Section 308/34 IPC and injuries are grievous in the nature. However, the said FIR is against her husband with whom staying and leading happy married life. Therefore, if this court does not quash the FIR mentioned above, their matrimonial life will be tense. Accordingly, I am of the view, in the present circumstances, the present is fit for quashing of FIR.

Keeping in view the settlement arrived at between the parties, I hereby quash the FIR no. 387/2017, registered at PS–Sangam Vihar, New Delhi for the offences punishable under Section 308/34 IPC and all other proceedings emanating therefrom.

Petition is accordingly allowed and disposed of.

SURESH KUMAR KAIT, J

SEPTEMBER 02, 2019
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