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

Date of decision: 24.09.2019

+ CRL.M.C. 4841/2019

VIVEK KUMAR SAHU

..... Petitioner

Through

Mr. Abhay Kumar with Mr. Surender,
Advs.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through

Mr. Ashok Kumar Verma, Adv. for
R-2 with respondent no.2 in person
SI Pradeep Sharma, PS Govindpuri
Mr. Panna Lal Sharma, APP for State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL. M.A. 36726/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, the petitioner seeks direction thereby for quashing of FIR No. 996/15 dated 29.07.2015, registered at PS Govind Puri, Distt. South East and all other proceedings emanating therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for the State and counsel for the respondent no.2.
6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.
7. The Complainant/respondent no.2 is wife of younger brother of petitioner and arrived at a settlement on 09.07.2019 before the mediation Centre, Saket Courts, New Delhi.
8. She has been reaping the benefits of the settlement dated 09.07.2019 by leading a peaceful matrimonial life and the petitioner has extended wholehearted cooperation to restore the matrimonial life of the respondent no.2 in a peaceful congenial atmosphere.
9. It is not in dispute that no recovery has been made from the petitioner. Accordingly, even on merits there is no case of the prosecution to prove guilt of the petitioner beyond reasonable doubt, therefore, there is no purpose to prosecute the petitioner as it will be sheer wastage of the precious time of the Court.
10. Respondent no.2 is present in person with her counsel and is identified by SI Pradeep Sharma, who states that she made the allegations in the complaint against the petitioner, because of the matrimonial dispute

which was pending with her husband and his family.

11. In that eventuality, prosecution should be initiated against the respondent no.2 on taking into account the false allegations made by her against the petitioner. However, keeping in mind the fact that respondent no.2 is sister in law of the petitioner and she is currently staying with her husband and his family, she seeks unconditional apology which is accepted by this Court.

12. The present petition is filed on the ground that the parties have settled their disputes amicably and the respondent No.2 has no objection if the present petition is allowed.

13. The petitioner and respondent no.2 have entered into an amicable settlement vide settlement deed dated 09.07.2019 before the Mediation Centre, Saket Courts, New Delhi.

14. 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.

15. For the reasons afore-recorded, the FIR No. 996/15 dated 29.07.2015 registered at Police Station Govind Puri, Distt. South East and consequent proceedings therefrom are quashed.

16. The petition is allowed accordingly.
17. Order *dasti*, under the signature of Court Master.

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 24, 2019

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