

\$~48

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

Date of decision: 22.01.2020

+ BAIL APPLN. 170/2020

PARDEEP CHAUHAN @ KITTY Petitioner

Through Mr.Vivek Aggarwal, Adv. with
Mr.Chetan Bundela, Adv.

versus

STATE Respondent

Through Mr.Hirein Sharma, APP for State.
SI Manoj Chahar PS Paschim Vihar.
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)

Crl. M.A. 1351/2020

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

Bail Appln.170/2020

3. Vide the present petition, the petitioner seeks anticipatory bail in pursuance to FIR No.690/2019 dated 28.10.2019 registered at Police Station Paschim Vihar, for the offences punishable under sections 308/342/506 IPC.

4. As stated in the present petition, the marriage was solemnized between the petitioner and complainant on 13.02.2019 according to Hindu rites and ceremonies at Arya Samaj Mandir, Karol Bagh, Delhi. After the marriage, the parties started living and cohabited together as husband and wife and no child was born out of the wedlock.

5. Learned counsel appearing on behalf of the petitioner submits that there were some minor differences between the complainant and petitioner. During the altercation, the petitioner pushed the complainant and she fell down and got injured. The said incident was only narrated to the police by the complainant but the police officials for the reasons best known to them, registered the said FIR under the alleged sections.

6. Though the present petition is filed for anticipatory bail, however, keeping in view the fact that the petitioner and complainant are living together as husband and wife from the last one year and have settled all their disputes amicably, therefore, this Court by exercising the powers under section 482 Cr.P.C. converts the present petition into quashing of the FIR.

7. Learned APP for the State submits that the complainant in the present case had not been made a party.

8. Learned counsel for the petitioner submits that inadvertently, the complainant is not made a party and he orally prays that the complainant may also be arrayed as a party as respondent No. 2. His oral request is acceded to.

9. Consequently, Ms.Chhavi Arora/complainant is impleaded as respondent No.2 in the present matter.

10. The petitioner is directed to file amended memo of parties within three days.

11. Respondent no.2 in person accepts notice and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

12. The complainant/respondent no.2 is present in person and has been identified by SI Manoj of Police Station Paschim Vihar (East) and submits that matter has been settled and now she is happily staying together with her husband from the last one year, therefore, she does not wish to prosecute the matter any further.

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

14. For the reasons afore-recorded, the FIR No.690/2019 dated 28.10.2019 registered at Police Station Paschim Vihar and consequent proceedings emanating therefrom are quashed.

15. The petition is allowed and disposed of accordingly.

16. Order *dasti*.

17. It is made clear that the certified copy of this order shall be issued to the parties after filing amended memo of parties.

(SURESH KUMAR KAIT)
JUDGE

JANUARY 22, 2020
ab

न्यायमेव जयते