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

+ **W.P.(CRL) 252/2020**

MOHIT NIJHAWAN & ORS

..... Petitioners

Through: Mr. Puneet Ahlawat, Advocate with
petitioner nos. 1 to 3 in person.

versus

THE STATE & ANR

..... Respondents

Through: Ms. Shivani Sharma and Mr. B.
Ramaswamy, Advocates for
Ms. Richa Kapoor, ASC for the State
with ASI Vijay Pal Singh, PS CWC
Nanakpura.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **28.01.2020**

Crl. M.A. No. 1893/2020 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 252/2020

1. Learned counsel for the petitioners submits that petitioner nos.4 and 5 are resident of Mumbai. He prays that petitioner nos.4 and 5 be exempted from personal appearance.
2. At the oral request of learned counsel for the petitioners, petitioner nos. 4 and 5 are exempted from personal appearance.
3. Issue notice. Ld. ASC for the State appears on advance notice

and accepts notice. Respondentno.2 appears and accepts notice.

4. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.45/2019, under Sections 498A/406/34 IPC registered at Police Station-Crime (Women) Cell, Nanak Pura, Delhi, and all proceedings emanating therefrom.

5. The brief facts of the case are that petitioner No.1 and respondent No.2 got married on 24.04.2012 according to Hindu rites and customs and they lived together as wife and husband with each other. After the marriage, some disputes and differences arose between them and they started living separately. On 13.11.2019, the respondent No.2 got the above said FIR registered against the petitioners.

6. Counsel for the petitioners submits that during the pendency of the trial, the petitioners and respondent No.2 have settled the matter amicably and they are living together happily for the past one year.

7. Respondent No.2 is present in Court today and she has been identified by the IO. Respondent No.2 admits that she has settled the matter amicably with the petitioners and is living with petitioners happily. She further submits that the settlement has taken place voluntarily, without any force, pressure or coercion. She submit that nothing remains to be adjudicated further between them and respondent no. 2 has no objection if the FIR in question is quashed.

8. Learned APP for the State submits that in view of the settlement, the State has no objection if the FIR in question be quashed.

9. Keeping in view the above facts and circumstances, since the

matter has been amicably settled between the parties and they are living together since 14.01.2020, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed and FIR No.45/2019, under Sections 498A/406/34 IPC registered at Police Station-Crime (Women) Cell, Nanak Pura, Delhi, and the proceedings emanating therefrom are hereby quashed.

10. The present petition stands disposed of accordingly. *Dasti.*

RAJNISH BHATNAGAR, J

JANUARY 28, 2020

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