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

+ CRL.M.C. 665/2020

RAJIV MALHOTRA & ORS. Petitioner

Through: Mr. Mohit Auluck, Advs
Petitioners in person.

versus

STATE & ANR. Respondent

Through: Mr. M.S. Oberoi, APP for the State
with SI Jhabbu Ram.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **06.02.2020**

CrI. M.A. No. 2758/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 665/2020

1. Issue notice. Ld. APP for the State appears on advance notice and accepts notice. Respondentno.2 appears and accepts notice.
2. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.37/2008, under Sections 498A/406/341/323/34 IPC registered at Police Station-Hari Nagar, District West, Delhi, and all proceedings emanating therefrom.
3. The brief facts of the case are that petitioner No.1 and

respondent No.2 got married on 12.12.2005 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 2.2.2008, the respondent No.2 got the above said FIR registered against the petitioners.

4. 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 since November 2019.

5. 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 submits that nothing remains to be adjudicated further between them and respondent no. 2 has no objection if the FIR in question is quashed.

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

7. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties and they are living together since November 2019, 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.37/2008, under Sections 498A/406/341/323/34 IPC registered at Police Station-Hari Nagar, District West, Delhi, and the proceedings

emanating therefrom are hereby quashed.

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

FEBRUARY 06, 2020/ib

RAJNISH BHATNAGAR, J