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

+ **CRL.M.C. 701/2020**

DEEPAK RAI & ORS

..... Petitioners

Through: Mr. Narender Malwalia, Advocate
with petitioners in person.

versus

THE STATE (GOVT. OF NCT DELHI) & ANR Respondents

Through: Mr. M.S. Oberoi, APP for the State
with SI Prabhakaran PS Dabri.
Mr. Ramesh Pandey, Advocate for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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07.02.2020

Cr.. M.A. No. 2888/2020 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 701/2020

1. Issue notice. Ld. APP for the State appears on advance notice and accepts notice. Learned counsel for respondent no. 2 enters appearance and accepts notice.

2. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.805/2016, under Sections 498A/406/34 IPC, registered at Police Station-Dabri, District South-West, Delhi, and all proceedings emanating therefrom.

3. The brief facts of the case are that the petitioner No.1 and respondent No.2 got married on 16.11.2015 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 since 28.05.2016. On 19.12.2016, 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 from 28.04.2019.

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 happily with petitioner no.1 in her matrimonial home since 28.04.2019. She further submits that the settlement has taken place voluntarily, without any force, pressure or coercion. They submit 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, 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.805/2016, under

Sections 498A/406/34 IPC, registered at Police Station-Dabri, District South-West, Delhi, and the proceedings emanating therefrom are hereby quashed.

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

RAJNISH BHATNAGAR, J

FEBRUARY 07, 2020

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