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

Date of decision: 04.02.2021

+ **CRL.M.C. 324/2021 & CrI.M.A. 1674-1675/2021**

UJJWAL CHAUHAN & ORS. Petitioners
Through: Ms. Richa Chauhan, Advocate

Versus

NCT OF DELHI & ANR. Respondents
Through: Mr. Izhar Ahmed, Additional
Public Prosecutor for
respondent No.1/State with SI
Usha Yadav, PS Malviya Nagar
Mr. Mohit Kukreja, Advocate
for respondent No.2

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

The hearing has been conducted through video conferencing.

1. Quashing of FIR No. 766/2016, under Sections 498A/406/34 IPC, registered at police station Malviya Nagar, New Delhi is sought in this petition.
2. Notice issued.
3. Mr. Izhar Ahmed, learned Additional Public Prosecutor for respondent No.1/State accepts notice and submits that petitioners and respondent No.2 are present through video conference and they have

been identified by the Investigating Officer of this case, who is also present through video conferencing.

4. With the consent of learned counsel for the parties, the present petition is taken up for final hearing and disposal.

5. Petitioner No.1 is the husband, petitioners No.2 & 3 are the parents in law and petitioners No.4 & 5 are the sister in laws (*nanad*) respondent No.2/complainant. Marriage between petitioner No.1 and respondent No.2 was solemnized on 12.12.2013. However, due to constraint relationship, they started living separately, which culminated into registration of FIR in question.

6. The present petition has been filed on the ground that the matrimonial dispute between the parties has been amicably resolved in terms of Memorandum of Understanding/Compromise Deed dated 16.09.2017 and that parties are now living together.

7. Respondent No.2, present in the Court, submits that the dispute with petitioners has been amicably resolved and she is happily and peacefully living with petitioner/husband and therefore, the FIR in question and proceedings emanating therefrom be quashed.

8. In view of the fact that respondent No.2, who is the complainant

of FIR in question, is happily living with petitioner/husband, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

9. The petition is accordingly allowed and FIR No. 766/2016, under Sections 498A/406/34 IPC, registered at police station Malviya Nagar, New Delhi and proceedings emanating therefrom, are hereby quashed.

10. The petition is accordingly disposed of.

11. Pending application also stands disposed of.

12. The order be uploaded on the website of this Court forthwith.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 04, 2021

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