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

% *Date of decision: 16.02.2021*

+ **CRL.M.C. 478/2021 & CrI.M.A. 2480-81/2021**

MANOHAR SINGH Petitioner

Through: Mr. Ashwin Vaish & Mr. Vinod
Pandey, Advocates

Versus

STATE & ANR. Respondents

Through: Mr. Amit Chadha, Additional
Public Prosecutor for respondent
No.1/State with SHO Mukesh
Kumar and SI Satish Kumar, PS
Ambedkar Nagar
Mr. Kalicanaran, 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)

The hearing has been conducted through video conferencing.

1. Petitioner seeks quashing of FIR No. 130/2012, u/s 363 IPC, registered at police station Ambedkar Nagar, Delhi in this petition.
2. The FIR in question was registered at the instance of respondent No.2 against the petitioner, who is grandfather of the prosecutrix.
3. Learned counsel appearing on behalf of petitioner submits that the subject matter of this FIR stands amicably resolved in terms of Settlement Agreement dated 07.02.2013 reached through Delhi High

Court Mediation and Conciliation Centre. It is submitted by learned counsel that marriage between petitioner and prosecutrix/Shalu, granddaughter of respondent No.2, was solemnized on 04.05.2012 and since then they are happily living together as husband and wife.

4. Notice issued.

5. Mr. Amit Chahda, learned Additional Public Prosecutor for State accepts notice and submits that complainant of the FIR is present through video conferencing and he has been identified by the Investigating Officer of this case, who is also present through video conferencing.

6. Learned Additional Public Prosecutor for State has drawn attention of this Court to the fact that another FIR No.16/2012 was also registered at police station Lodhi Colony, New Delhi against the petitioner at the instance of father of the prosecutrix and the said FIR and proceedings arising therefrom, have already been quashed by order dated 29.11.2013 of this Court. Learned Additional Public Prosecutor for State further submits that the factum of marriage between petitioner and prosecutrix stands verified.

7. Respondent No.2 present through video conferencing submits that

Shalu (prosecutrix) is his granddaughter and she is happily living with petitioner.

8. Learned counsel for petitioner submits that the instant FIR was registered due to some misunderstanding, which was cleared long ago and since petitioner and prosecutrix are leading a happy married life, the FIR in question deserves to be quashed.

9. Taking into account the aforesaid facts and the fact that the petitioner and prosecutrix have already married on 04.05.2012 and respondent No.2/complainant has no objection to the quashing of the FIR, this Court is inclined to quash the present FIR as no useful purpose would be served in prosecuting petitioner any further.

10. For the reasons afore-recorded, FIR No. 130/2012, u/s 363 IPC, registered at police station Ambedkar Nagar, Delhi and all other proceedings arising therefrom are quashed.

11. The petition and pending applications are accordingly disposed of.

12. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

FEBRUARY 16, 2021/r