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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6489/2024

DIVAKAR KUMAR SINGH & ANR.Petitioners

Through: Mr. Pawan Reley, Mr.Agrim Tandon,
Mr. Akshay Lodhi, Ms. Simran Singh
and Ms. Lashika Singh, Advocates.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for State with
SI K.M.Banti, P.S.Vasant Vihar and SI
Karan, P.S.Lodhi Colony.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

21.08.2024

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1. The Petition under Section 528 of BNSS has been filed on behalf of the petitioners, seeking to quash the FIR No. 155/2010 dated 09.06.2010, registered under Section 363 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Vasant Vihar.
2. It is submitted in the petition that the complainant Sh.Shailender Kumar Singh had given a complaint way back in 2010 of his daughter/petitioner No.2 having gone missing. The petitioner No.1 as well as petitioner No.2 was not traceable. They both got married in Bihar on 09.06.2010. Petitioner No.1 was declared a Proclaimed Offender vide order dated 26.07.2011. The statement of respondent No.2 under Section 299 Cr.P.C was recorded on 29.02.2012 and thereafter the case was consigned under Section 299 Cr.P.C.
3. The petitioners have been residing happily and have two daughters from their wedlock. The petitioner No.1 had been recently



arrested by the Proclaimed Offender team on 14.03.2024 and had been admitted to bail. Now the present petition has been filed for quashing of FIR No.155/2010.

4. All the parties are present in the Court and they endorse that the petitioners are happily married and living together since 2010. They have also been visiting the house of the complainant regularly though complainant was not aware that the present FIR/chargesheet has been filed.

5. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

6. Moreover, there is no legal impediment in quashing the FIR in question.

7. Accordingly, FIR No. 155/2010 dated 09.06.2010, registered under Section 363 IPC registered at Police Station Vasant Vihar and all consequential proceedings emanating therefrom are quashed.

8. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 21, 2024

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