

(2019) 12 DEL CK 0072

In the Delhi High Court

Case No : Criminal Writ Petition No. 2406 Of 2019

Aman Kaushik & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 03-12-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2019) 12 DEL CK 0072

Hon'ble Judges : Brijesh Sethi, J

Bench : Single Bench

Advocate : Manish Kumar, Charu Chaudhary, Richa Kapoor

Final Decision : Disposed Of

Judgement

Brijesh Sethi, J

Crl.M.A. 41737/2019

Petitioners are seeking preponment of hearing in the main petition on the ground that subject matter of dispute inter se parties stands amicably resolved between the parties and, therefore, no useful purpose would be served in keeping this petition pending.

Notice.

Ms. Charu Chaudhary, Advocate appearing for Ms.Richa Kapoor, Additional Standing Counsel for respondent No.1/State, accepts notice.

Heard.

The application is allowed and the main petition is taken up for hearing today itself.

The application is disposed of.

W.P.(CRL) 2406/2019 & Crl.M.A. 41737/2019

Quashing of FIR No. 132/2017, under Sections 498A/406/34 IPC, registered at Crime Against Women Cell, Nanakpura, New Delhi is sought on the ground that the matrimonial dispute stands amicably resolved between the parties and petitioner No.1/husband and respondent No.2/wife are living happily together.

Notice.

Ms. Charu Chaudhary, Advocate appearing for Ms. Richa Kapoor, Additional Standing Counsel for respondent No.1/State, accepts notice and submits that petitioners as well as respondent No.2/complainant are present in the Court and they have been duly identified by Investigating Officer of this case.

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 No.1/husband and therefore, to restore cordiality between the parties, the FIR in question and proceedings emanating therefrom be quashed.

In view of the fact that respondent No.2, who is the complainant of FIR in question, is happily living with petitioner/husband, FIR No. 132/2017, under Sections 498A/406/34 IPC, registered at Crime Against Women Cell, Nanakpura, New Delhi and proceedings emanating therefrom, are hereby quashed qua petitioners while making it clear that if the marriage of respondent No.2/complainant with petitioner No.1/husband gets into rough weather, she would be at liberty to revive these proceedings.

This petition and application stand disposed of accordingly.