

(2021) 02 DEL CK 0038

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 324 Of 2021, Criminal Miscellaneous Application No. 1674-1675 Of 2021

Ujjwal Chauhan & Ors

APPELLANT

Vs

Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 04-02-2021

Acts Referred:

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

Citation : (2021) 02 DEL CK 0038

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Richa Chauhan, Izhar Ahmed, Mohit Kukreja

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

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.