

(2019) 10 DEL CK 0019

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 5037 Of 2019

Vivek Sharma & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 01-10-2019

Acts Referred:

Citation : (2019) 10 DEL CK 0019

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Vikrant Choudahry, Izhar Ahmad

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

Crl. M.A. 37445/2019 (Exemption)

1. Allowed, subject to all just exceptions.

2. Application is disposed of.

CRL.M.C. 5037/2019

3. Vide the present petition, the petitioners seek quashing of FIR No 0146/2016 dated 23.03.2016 registered at Police Station Jaitpur and consequent proceedings arising there from.

4. Notice issued.

5. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

6. The petitioner no.1 and respondent no.2 got married on 24.11.2012 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 28.02.2014

7. The petitioner and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settled on 30.05.2017 and settled all their disputes amicably.

8. The complainant is present in person with her counsel and has been identified by ASI Kunji Lal of Police Station JaitPur and submits that for the last two years she is living in her matrimonial home with her husband. Counsel for the petitioner submits that in the said petition, there are six petitioners, however, the present petition is filed on behalf of five petitioners and submits that since the matter has been settled between the parties, concerned FIR may be quashed against the remaining petitioner also namely Ms. Vandana. Complainant has no objection if the concerned FIR is quashed against all the petitioners in the petition including Vandana. Matter has been settled and she does not wish to prosecute the matter any further.

9. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

10. For the reasons afore-recorded, FIR No 0146/2016 dated 23.03.2016, registered at Police Station Jaitpur and consequent proceedings therefrom are quashed.

11. The petition is allowed and disposed of accordingly.

12. Order dasti, under the signature of Court Master.