

Rajesh Mittal & Anr vs The State & Anr on 18 February, 2019

Author: A.K. Pathak

Bench: A.K. Pathak

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 909/2019 and CrI. M.A. no. 3620/2019
RAJESH MITTAL & ANR Petitioners
Through Mr. Manish Kumar Pathak, Adv. with
petitioners in person

versus

THE STATE & ANR Respondents
Through Ms. Manjeet Arya, APP with SI
Reena, P.S. Paschim Vihar
Mr. Varun Kumar, Adv. with
respondent no. 2

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% 18.02.2019

Notice. Learned APP accepts notice for respondent no. 1.

Respondent no.2 Ms. Rekha Mittal is present in Court along with her counsel and accepts notice. She has been identified by SI Reena of police station Paschim Vihar.

Petitioner no.1 (husband) and respondent no. 2 (wife) state that they have settled their disputes amicably before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 29th May, 2015. They have started living together since 2015; therefore, FIR No. 15/2013 under Sections 498-A/406/34 IPC registered at Police Station Paschim Vihar on the complaint of respondent no. 2 may be quashed. Respondent no. 2 submits that she has settled the matter with petitioner no. 1 of her own free will and without any undue force, pressure or coercion. Respondent no. 2 further submits that presently she has no grievance against the petitioners and has no objection in case aforesaid FIR and consequent proceedings emanating therefrom are quashed against the petitioners.

Keeping in mind that husband and wife have started living together after resolving their differences, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR registered at Police Station Paschim Vihar and consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

FEBRUARY 18, 2019 r.bararia