

**Shankar Lal Vs. State and anr**

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**SooperKanoon Citation :** [sooperkanoon.com/921041](http://sooperkanoon.com/921041)

**Court :** Delhi

**Decided On :** Sep-22-2011

**Judge :** Suresh Kait, J.

**Acts :** [Indian Penal Code \(IPC\), 1860 \(IPC\)](#) - Sections 498A, 406

**Appeal No. :** CRL.M.C.No.2760/2011

**Appellant :** Shankar Lal

**Respondent :** State and anr

**Advocate for Def. :** Ms.Ritu Gauba, Adv.

**Advocate for Pet/Ap. :** Mr.R. K. Sheoran, Adv.

**Judgement :**

1. Learned counsel for the petitioner submits that vide FIR No.119/1995 dated 23.02.1995 a case under Section 498A/406 Indian Penal Code, 1860 was registered against the petitioner on complaint of respondent No.2 at police station Dr.Ambedkar Nagar, New Delhi.

2. Further submits that pursuant to settlement dated 30.07.2011 petitioner and respondent No.2 have amicably settled all the issues qua the aforesaid FIR and they are living together as husband and wife since the year 2004.

3. Respondent No.2 present in person. The photographs of respondent No.2 and petitioner No.1 are affixed at the compromise deed at page No.24 of petition. In addition to that, she has also produced the photocopy of voter identity card bearing No.03/034/168498 which stands in her name. Photocopy so produced is taken on the record.

4. Respondent No.2 submits that she has settled all the issues qua the aforesaid FIR & does not wish to pursue the case against petitioner further as she is residing happily with petitioner No.1 in the matrimonial house.

5. Ms.Ritu Gauba, learned APP for State submits that case is pending for prosecution evidence, therefore, the government machinery has been used and precious time of the Court has been consumed, therefore, some costs may be imposed while quashing of the FIR in the present case.

6. Keeping the aforesaid settlement dated 30.07.2011 into view and the fact that petitioner and respondent No.2 have reconciled the issues are living happily together as husband and wife, FIR No.119/1995 under Section 498A/406 Indian Penal Code, 1860 registered against the petitioner at police station Dr.Ambedkar Nagar, New Delhi and the proceedings emanating thereto are hereby quashed.

7. Since the parties are living together since the year 2004 and reconciled their issues, therefore, I refrain in imposing any costs.

8. Criminal M.C.No.2760/2011 stands allowed and disposed of in above terms.

9. Dasti.

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