

Gulshan Raheja Vs. State and Another

Gulshan Raheja Vs. State and Another

SooperKanoon Citation : sooperkanoon.com/948108

Court : Delhi

Decided On : Feb-21-2012

Judge : Suresh Kait

Appeal No. : CRL.M.C. 650 of 2012

Appellant : Gulshan Raheja

Respondent : State and Another

Judgement :

SURESH KAIT, J.

(Oral)

Crl.M.A.No.2225/2012(exemption)

Exemption is allowed subject to just exceptions. Criminal M.A. stands disposed of. **CRL.M.C. 650/2012**

1. Vide the instant petition, the petitioner has sought quashing of FIR no.44 dated 06.02.2004 whereby case under Section 498A/406/34 Indian Penal Code, 1860 was registered against the petitioners on the complaint of the respondent no. 2 at PS-Anand Vihar.

2. It is further submitted that vide settlement dated 29.09.2011, respondent no. 2 has settled all the issues qua the aforesaid FIR against the petitioners, therefore, she is no more interested to pursue the case further.

3. Respondent no. 2 is personally present in the court and in support of her identity she has produced her I-Card bearing no. TLE1706217 issued by Election Commission of India . (Original seen and returned to the respondent no.2).

4. Respondent no. 2 has stated that vide settlement dated 29.09.2011 all the issues qua the aforesaid FIR has been settled with the petitioners.

5. Consequent to the said settlement, she has been staying with petitioner no. 1 / husband.

6. It is further submitted that they are living happily as husband and wife and there is no complaint against the petitioners. Therefore, she is no more interested to pursue the case further and if the FIR mentioned above is quashed, she has no objection.

7. Ld. APP on the other hand fairly concedes that since respondent no. 2 has started living with petitioner no.1, therefore she has no objection if the FIR referred above is quashed with emanating proceedings thereto.

8. Keeping the settlement mentioned above and the statement of the respondent no. 2 in to view as she is living with her husband happily and has no complaint against him, therefore, in the interest of justice, FIR no. 44/2004 registered at PS-Anand Vihar is quashed with emanating proceedings thereto.

9. Accordingly, Crl. M.C. 650/2012 is allowed.

10. Dasti.