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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 5449/2022**

VARUN KHANNA & ORS.

..... Petitioners

Through: **Mr. Sunil K Kalra, Adv.**

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: **Mr. Satinder Singh Bawa, APP for
State, SI Rajesh Chauchan, PS Geeta
Colony, Delhi
Ms. Sonam Kumari, Adv. for R2**

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Date of Decision: 27.03.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petition has been filed under section 482 Cr.P.C for quashing of the FIR No.0203/2019 under section 498-A/323/354/34 IPC registered at PS Geeta Colony and the proceedings emanating therefrom.
2. Briefly stated facts of the case are that the parties got married on 10.12.2010 at Delhi. There are two children born out of this wedlock. That due to temperamental differences parties started living separately since 23.07.2019.

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3. It is submitted that the above-mentioned FIR was a result of a misunderstanding. The parties resumed the company of each other on 07.07.2020 and are since then residing happily together.

4. Respondent No.2 is present in person and she states that she is residing with Petitioner No.1/husband since the last two years and that both the parties have resolved all their differences and want to live together peacefully therefore, this petition may be allowed, and the FIR No. 0203/2019 maybe quashed.

5. Respondent No.2 has also filed an affidavit to the effect that she has no objection if the present FIR and all the other proceedings emanating therefrom are quashed.

6. It has repeatedly been held by the Apex Court that in the matrimonial disputes, if the parties have settled the matter between themselves amicably, it is the duty of Courts to encourage the same. Reliance can be placed on ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675; ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***; 2019 SCC OnLine Del 8179.

7. I consider that there would be no purpose of continuing with the trial as the parties have entered into the settlement voluntarily without any fear, force and coercion, and have decided to give quietus to the proceedings. It was a matrimonial dispute which has been amicably settled and thus the parties must be given a chance to live together peacefully.



8. In view of the submissions made above the case FIR No.0203/2019 under section 498-A/323/354/34 IPC registered at PS Geeta Colony, the and consequent proceedings arising therefrom are quashed.

9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

MARCH 27, 2023

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