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

+ **CRL.M.C. 285/2023**

SANTOSH KUMAR SAINI

..... Petitioner

Through: Mr.Sanjog Singh, Advocate with
petitioner in person

versus

STATE OF DELHI & ANR.

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Maneeta

Mr.Praveen Sawaria, Advocate for respondent
No.2 with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.04.2024

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CRL.M.A. 1201/2023 (delay)

1. By way of present application filed under Section 482 Cr.P.C., the petitioner/applicant seeks condonation of delay of 11 days in re-filing the petition.
2. Issue notice.
3. Learned counsels, as mentioned above, accept notice.
4. For the reasons stated in the application, the same is allowed and the delay of 11 days in re-filing the petition is condoned.
5. The application is disposed of.

CRL.M.C. 285/2023 and CRL.M.A. 13973/2023 (deletion of para 16)

1. By way of present petition filed under Section 482 Cr.P.C., the



petitioner seeks quashing of FIR No.380/2017 registered under Sections 498A/406/506 IPC at P.S. Ambedkar Nagar, Delhi on the ground that the parties have amicably settled their disputes.

2. The present FIR is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and the petitioner (husband).

3. Learned APP for the State submits that the petitioner is the only accused and respondent No. 2 is the complainant/victim.

4. Learned counsels for the parties submit that the parties have settled their dispute vide Compromise Deed dated 22.05.2023 and that they are living separately. In terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the petitioner.

5. Learned counsel for the petitioner, on instructions from the petitioner, submits that rights of the minor child, who is in the custody of respondent No.2, as available under the law shall remain unaffected by the terms of the settlement. The petitioner, who is present in the Court reiterates the same. In acknowledgement of the said statement, the petitioner and his counsel have signed the order sheet.

6. The petitioner and respondent No.2, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.

7. Respondent No. 2 states that she has entered into the aforesaid Compromise Deed with her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

8. Learned counsels for the parties submit that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements made in Court today.



10. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

11. The petition is disposed of in the above terms alongwith the pending application.

MANOJ KUMAR OHRI, J

APRIL 24, 2024

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