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

+ **CRL.M.C. 1068/2024**

MANISH AND ORS.

..... Petitioners

Through: Mr Varun Mittal and Mr Vivek
Samsamwal, Advocates along with
petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR. Respondents

Through: Mr Raj Kumar, APP for the State
with SI Deepak, ASI Shambhu Singh,
PS Sultanpuri.
Mr N. D. Pathak, Advocate for
respondent no.2 along with
respondent no.2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
09.02.2024

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CRL.M.A. 4251/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1068/2024 & CRL.M.A. 4250/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0307/2019 under Sections 406/498-A/509/506/34 IPC registered at Police Station Sultanpuri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. Issue notice. The learned APP for the State accepts notice. He submits



that since FIR is an outcome of matrimonial dispute and the parties have arrived at a settlement, in terms of which they have now started residing together, the State has no objection in case both the FIRs in question are quashed.

4. The petitioner no.1 (husband), and petitioner nos.2 to 4, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer SI Deepak, ASI Shambhu Singh, PS Sultanpuri.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 28.02.2017 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely, Heyansh was born.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 10.01.2024, which is annexed at page 41 to the present petition.

8. As per the said settlement, the parties have settled all their disputes with each other with the intervention of respectable persons of society, relatives and family members and the parties have decided to live together peacefully for the betterment of the marital life.

9. The petitioner no.1 and the respondent no.2, who are present in Court affirm that now they are residing together.



10. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

11. In view of the fact that the parties have arrived at a settlement, and in terms thereof the petitioner no.1 and the respondent no.2 have started residing together, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No.0307/2019 under Sections 406/498-A/509/506/34 IPC registered at Police Station Sultanpuri alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 9, 2024
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