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

+ **CRL.M.C. 1225/2024**

MANOJ KUMAR & ANR.

..... Petitioners

Through: Ms Simran Singh, Advocate along
with petitioners in person.

versus

THE STATE OF DELHI AND ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with ASI Sunil Kumar, PS Hauz
Khas.

Mr Markandey Gupta, Advocates for
R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

15.02.2024

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CRL.M.A. 4852/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1225/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.1087/2015 under Sections 498-A/406/34 IPC registered at Police Station Hauz Khas 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 the present FIR is quashed.



4. The petitioner no.1 (husband), and petitioner no.2, who is the mother 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 ASI Sunil Kumar, PS Hauz Khas..
5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.02.2007 according to Hindu Rites and Customs. Out of the said wedlock, two girl child, namely, Baby Harshita and Baby Manyata were born.
6. On account of temperamental issues certain disputes arose between the parties and they started living separately from February, 2023. The dispute between the parties also led to the registration of present FIR.
7. During the pendency of the proceedings, the parties were referred to the Mediation Centre, Saket Courts, New Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 19.01.2024, which is annexed as Annexure P-2 to the present petition.
8. As per the said settlement, the parties have settled all their disputes with each other.
9. It is a term of the settlement that the parties shall reside together in the property mentioned in para 1 of the settlement as husband and wife.
10. The petitioner no.1 and the respondent no.2, who are present in Court affirm that now they are residing together.
11. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.
12. 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.

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

14. Consequently, the petition is allowed and the FIR No.1087/2015 under Sections 498-A/406/34 IPC registered at Police Station Hauz Khas alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 15, 2024
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