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

+ **CRL.M.C. 1581/2024**

RAJIV LAMBA AND ORS

..... Petitioners

Through: Mr. Arvind Vashistha, Advocate

Versus

STATE THROUGH SHO PS BINDAPUR AND ANR

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with W/SI Usha Rani, CAW Cell and
SI Sudeep Kumar, P.S. Bindapur
Mr. Nikhil Dhiman, Advocate
alongwith respondent No.2 in person.

+ **CRL.M.C. 1627/2024**

RAJIV LAMBA AND ORS

..... Petitioners

Through: Mr. Arvind Vashistha, Advocate

Versus

STATE THROUGH SHO PS UTTAM NAGAR AND ANR

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for State
Mr. Nikhil Dhiman, Advocate
alongwith respondent No.2 in person.

+ **CRL.M.C. 1677/2024**

ANKIT & ANR.

..... Petitioners

Through: Mr. Nikhil Dhiman, Advocate

Versus

THE GOVERNMENT OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for State



Mr. Arvind Vashistha, Advocate
alongwith respondent No.2 in person.

+ **CRL.M.C. 1760/2024**
ANKIT & ANR.

..... Petitioners

Through: Mr. Nikhil Dhiman, Advocate

Versus

THE GOVERNMENT OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
W/SI Neeraj and SI Sudeep Kumar
Mr. Arvind Vashistha, Advocate
alongwith respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

26.04.2024

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1. By way of the present petitions, the petitioners seek quashing of FIR No. 258/2019 under Sections 498A/406/34 IPC registered at Police Station Bindapur, Delhi, FIR No.525/2018 under Sections 354/323/341/354B/509/34 IPC registered at Police Station Uttam Nagar, Delhi, FIR No. 954/2017 under Section 451/323/509/506/34 IPC registered at Police Station Uttam Nagar, Delhi and FIR No. 350/2018 under Sections 354D/506/509/34 IPC registered at Police Station Bindapur, Delhi and the proceedings emanating therefrom.
2. The petitioners and respondents are present in the Court and they have been identified by their respective Counsel as well as by the Investigating Officer.
3. The facts of the case would show that marriage between sister of



petitioner No. 1 (Mr. Ankit) and Mr. Rajeev Lamba was solemnized according to Hindu rites and ceremonies on 18.02.2011. A child was born out of the wedlock who is presently in custody of wife of Mr. Rajeev Lamba. Due to temperamental differences, sister of petitioner No. 1 (Mr. Ankit) and Mr. Rajeev Lamba started living separately since 12.09.2015.

4. Learned counsel appearing on behalf of the parties submit that with the intervention of the family members and well wishers, the parties have entered into a settlement *vide* Settlement Deed dated 04.05.2023 before Mediation Centre, Dwarka Courts, New Delhi. The parties jointly submit that the terms of the settlement have already been acted upon.

5. The balance amount of Rs.3,30,000/- has been paid today to respondent No.2 by way of three FDRs bearing Nos. 22848023, 22848024 & 22848025 amounting to Rs.1,10,000/- each.

7. Respondent No.2, who is present in the Court acknowledges the receipt of the aforesaid amount. She submits that she has entered into the aforesaid settlement 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, as she is left with no claim against the petitioners.

8. The statement and undertaking given on behalf of the parties is taken on record and they are held bound by the same.

9. Taking into consideration the overall facts and circumstances of the case and the fact that the parties have arrived at an amicable settlement voluntarily, without any force, therefore, under such circumstances and in view of the law laid down by the Hon'ble Supreme Court in the matter of **B.S.**



*Joshi & Ors v. State of Haryana & Anr.*¹, *Gian Singh v. State of Punjab*² and *Jitendra Raghuvanshi & ors. v. Babita Raghuvanshi & Anr.*³, there is no reason as to why genuine settlement between the parties of a matrimonial dispute shall not be encouraged.

10. Hence, the FIR No. 258/2019 under Sections 498A/406/34 IPC registered at Police Station Bindapur, Delhi, FIR No. 525/2018 under Sections 354/323/341/354B/509/34, IPC registered at Police Station Uttam Nagar, Delhi, FIR No. 954/2017 under Sections 451/323/509/506/34 IPC registered at Police Station Uttam Nagar, Delhi and FIR No. 350/2018 under Sections 354D/506/509/34 IPC registered at Police Station Bindapur, Delhi and the proceedings emanating therefrom are, hereby, quashed.

11. The petitions are accordingly disposed of.

12. A copy of this order be forwarded to learned Trial Court for information.

13. It is made clear that in view of the dictum of the Hon'ble Supreme Court in the case of *Ganesh v. Sudhirkumar Shrivastava and Others*⁴, the terms of settlement between the parties will not come in the way of enforcing the rights of minor child and her rights shall not be adversely affected.

PURUSHAINDRA KUMAR KAURAV, J.

APRIL 26, 2024

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¹ (2003) 4 SCC 675

² (2012) 10 SCC 303

³ (2013) 4 SCC 58

⁴ (2020) 20 SCC 787