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

+ **CRL.M.C. 1714/2024**

JAI KISHAN & ORS.

..... Petitioners

Through: Mr. Satyam Thareja, Mr. Pratyaksh,
Advocates along with petitioners in
person.

versus

STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Mr. Raghvinder Verma, APP for State
with W/SI Menka.
Respondent Nos.2 & 3 present in
person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

29.02.2024

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CRL.M.A. 6563/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 1714/2024

3. The present petition under Section 482 of Code of Criminal Procedure (Cr.PC) 1973 has been filed by the petitioner seeking quashing of FIR bearing No.391/2021 dated 14.08.2021 registered at Police Station Chhawala, Delhi for the offences punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (IPC) and all proceedings emanating therefrom.



4. Briefly stated, the facts of the present case are that the marriage between Petitioner No.1 (husband) and Respondent No.2 (wife) was solemnized on 07.12.2008 New Delhi according to Hindu rites, rituals and ceremonies. After the marriage, Petitioner No.1 and Respondent No. 2 started living together at the house of Petitioner No. 1. On 03.10.2009, a male child was born out of this wedlock. Thereafter, on 20.01.2013, a girl child was born out of this wedlock. Due to some temperamental differences between the Petitioner No.1 and Respondent No.2, the aforesaid FIR was registered. The charge-sheet has been filed in the present case on 01.11.2021.

5. Notice. Mr. Raghvinder Verma, learned APP accepts notice on behalf of the State.

6. Petitioner Nos.1, 2 & 3 are present before this Court and have been identified by their counsel Mr. Satyam Thareja and Investigating Officer (IO) SI Menka, Police Station, P.S. Chhawla, Delhi. On the query made by this Court, respondent nos.2, who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent No.2 that the entire dispute has been amicably settled/compromised with the petitioners by way of Settlement Agreement dated 16.01.2024 and they have been living together for the last three years along with the minor child. Respondent no. 2 further stated that she has no objection if FIR may be quashed.

7. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would



create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR No.391/2021 dated 14.08.2021 registered at Police Station Chhawala, Delhi for the offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

9. The petition stands disposed of.

10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 29, 2024/hs

Click here to check corrigendum, if any