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

+ **W.P.(CRL) 812/2023**

PARDEEP KUMAR & ORS.

.....Petitioners

Through: Mr. Rambir Singh and Mr. Sanjay Kumar, Advocates for P1 to P5 with petitioners in person.

versus

**THE STATE GOVT OF NCT OF DELHI THROUGH SHO P S
NARELA DELHI & ANR.**

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State with Mr. Vaibhav Sharma, Mr. Jaidev Singh, Mr. Mukul Arora, Mr. Aditya Bhushan, Mr. Anish Yadav and Mr. Anas Naumani, Advocates with SI Mahendra Patel, PS Narela.
Mr. Nitin Saluja, Advocate (DHCLSC) with Ms. Pranya Madan, Advocate for R2 with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.07.2024

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1. The Writ Petition (Criminal) under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners, seeking to quash the FIR No. 0448/2021 dated 26.09.2021, under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*), registered at Police Station Narela, Delhi.



2. Issue notice.
3. Mr. Rahul Tyagi, learned ASC appearing on advance notice, accepts notice on behalf of the State.
4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 17.01.2019, according to Hindu rites and ceremonies and no child was born out of the said wedlock.
5. It is further submitted that on 26.09.2021, on the complaint of respondent No. 2, an FIR bearing No. 0448/2021 dated 26.09.2021, under Sections 498A/406/34 of the IPC, 1860, got registered at Police Station Narela.
6. It is stated that the petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 12.10.2022, wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. The parties had agreed to go for a settlement, without any monetary consideration but after the Petition was filed in the Court, the parties have been referred to Mediation and the petitioner had agreed to give Rs.75,000/- towards the claim of alimony of the respondent
7. It is also stated that on 25.01.2023, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.
8. In view of the Settlement Deed dated 12.10.2022, the present petition has been filed.
9. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.
10. A cheque for a sum Rs. 75,000/-, has been handed over to the



respondent No. 2/wife, by the petitioner No. 3, today in the Court vide Cheque No. 997048 dated 09.05.2024 made in favour of the respondent No. 2/Smt. Hiteshi d/o Sh. Rajvir Singh, drawn on SBI Bank, Sector-11, Mathura Road and the same has been accepted by the respondent No. 2/wife.

11. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 12.10.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

12. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 12.10.2022 and they also submit that the said Settlement Deed dated 12.10.2022 has been arrived at between the parties without any pressure and coercion.

13. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

14. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

15. Moreover, there is no legal impediment in quashing the FIR in question.

16. Accordingly, FIR No. 0448/2021 dated 26.09.2021, under Sections 498A/406/34 of the IPC, 1860, registered at Police Station Narela, Delhi and



all consequential proceedings emanating therefrom are quashed.

17. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 9, 2024/RS