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

+ **CRL.M.C. 2094/2024**

SANJEET KUMAR MISHRA

..... Petitioner

Through: Mr. Mukesh Sinha, Mr. Kumar
Kishlay and Mr. Nirmal Kumar,
Advocates.

versus

STATE AND ANR

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State with SI Vijay Pal Singh, P.S.
CWC, Nanak Pura.
Mr. Rakesh Kumar Paswan and Mr.
Saurav Kumar, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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14.03.2024

CRL.M.A. 8106/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2094/2024

2. The present petition has been filed seeking quashing of the FIR no.39/2014 under Sections 498A/406/34 IPC registered at Police Station CWC, Nanakpura, Delhi on the ground that the parties have entered into a settlement.

3. Issue notice. Learned Standing Counsel for the State accepts notice.. He submits that since the present FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no



objection in case the FIR in question is quashed.

4. The petitioner as well as, the respondent no.2 (former wife) are present in court and they have been identified by their respective counsels and by the Investigating Officer (I.O) SI Vijay Pal Singh, PS. Nanakpura.

5. The brief facts of the case are that the marriage between the petitioner and the respondent no. 2 was solemnised on 09.07.2011 as per the Hindu Rites and Customs at Bihar.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 24.07.2013. 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, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement deed dated 20.12.2023, which is annexed as Annexure P-3 to the present petition.

8. It is recorded in the settlement that the respondent no. 2 has already sought *ex parte* divorce from the present petitioner, which fact is not disputed by the learned counsel for the petitioner on instruction from the petitioner who is present in the Court.

9. It is a term of the settlement between the parties that they have finally settled their all claims/disputes without any monetary consideration, as full and final settlement.

10. It is also a term of the settlement that the respondent no. 2 shall cooperate with the petitioner for the quashing of aforesaid FIR.

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, 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. In view of the above, the petition is allowed and FIR no. 39/2014 under Sections 498A/406/34 IPC registered at Police Station CWC, Nanakpura, Delhi 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

MARCH 14, 2024/MR