



\$~23

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 2629/2024**  
**BASICK KUMAR YADAV & ORS.**

.....Petitioner

Through: Mr. Sunil Kumar, Advocate.

versus

**STATE NCT OF DELHI & ANR.**

.....Respondent

Through: Mr. Satinder Singh Bawa, Ld. APP  
for State with SI Seema P.S. Vivek  
Vihar and SI Sachin P.S. Seemapuri.  
Mohd. Sohail Alam and Ms. Farhana  
Javed, Advocates with R-2 in person.

**CORAM:**  
**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**  
**10.09.2024**

%

1. A Criminal Petition under Section 482 Cr.P.C has been filed on behalf of the petitioner for quashing of FIR No.0228/2019 under Section 498A/406/34 IPC and Section 4 of DP Act registered at Police Station Seemapuri.
2. Brief facts of the case are that on 07.11.2011 the marriage was solemnized between petitioner No. 1 and respondent No. 2 according to Hindu rites and ceremonies. It is stated that a male child was born out of the said wedlock, who is now aged about 11 years. Since 07.11.2018, the parties started residing separately.
3. It is further submitted that on 08.04.2019, on the complaint of



respondent No. 2, an FIR bearing No. 0228/2019 under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of DP Act got registered at Police Station Seema Puri.

4. It is stated that the parties entered into a MOU dated 28.02.2024, whereby both the parties amicably settled all the disputes and differences, and 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.

5. It is further stated that the child shall remain in the custody of respondent No. 2/wife and petitioner No.1 shall have the visitation rights to meet the child. It is also agreed that the petitioner No.1/husband shall continue to give Rs.2,000/- per month towards the welfare of the child.

6. It is also stated that on 14.07.2023, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Hindu law.

7. In view of the Compromise Deed dated 28.02.2024, the present petition has been filed.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The parties have submitted that all the disputes have been amicably settled *vide* MOU dated 28.02.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

10. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* MOU dated 28.02.2024 and they also



submit that the said Compromise has been arrived at between the parties without any pressure and coercion.

11. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has no objection if the FIR is quashed.

12. 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, I am of the opinion that 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.

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

14. Accordingly, FIR bearing No. 0228/2019 registered at Police Station Seemapuri, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of DP Act and all consequential proceedings emanating therefrom are quashed.

15 The petition stands disposed of.

**NEENA BANSAL KRISHNA, J**

**SEPTEMBER 10, 2024/va**