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

+ **CRL.M.C. 2824/2024**

SH MANISH PANDEY AND ORS.

..... Petitioners

Through: Ms. Seema Tiwari & Mr. Gajendra Singh, Advocates along with petitioners in person.

versus

**THE STATE GOV OF NCT
OF DELHI AND ANR.**

..... Respondents

Through: Mr. Satish Kumar, APP for State with SI Sonu Kumar Jha, P.S. Ambedkar Nagar, Delhi.
Ms. Seema Tiwari & Mr. Gajendra Singh, Advocates. For R-1 to R-6 along with R-1 to R-6 in person.

**CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA**

ORDER
08.04.2024

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CRL.M.A.10708-09/2024 (exemption)

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

CRL.M.C. 2824/2024

3. The present petition under Section 482 of Code of Criminal Procedure, 1973 (Cr.P.C.) has been filed on behalf of the petitioner seeking



quashing of FIR bearing No.13/2019, registered at Police Station Ambedkar Nagar, Delhi for the offences punishable under Sections 498A/34 of Indian Penal Code, 1860 (IPC) and all consequential proceedings emanating therefrom.

4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of State.

5. Briefly stated the facts of the case are that petitioner no.5 got married to respondent no.2 daughter Smt. Sandhya Pandey (deceased) on 11.12.2012 according to Hindu rites and ceremonies at Arya Samaj Mandir, Malviya Nagar, Delhi. Out of said wedlock one female child namely Baby Vaishnavi was born on 14.10.2013. The petitioner no.5 on 29.10.2016 met with a fatal road accident and was admitted to Fortis Hospital on an emergency and then taken to AIIMS by their relatives. It is again submitted that petitioner no.5 had a major surgery and took very long time in recovery from accident. The deceased Smt. Sandhya Pandey with her daughter went to respondent no.2 and started living with her mother permanently and she never came back. That on 06.01.2019, Smt. Sandhya Pandey passed away in Safdarjung Hospital and a post-mortem report also clarified that the complainant's daughter died due to Pulmonary Tuberculosis. Resultantly the FIR was registered.

6. It is stated that the victim in this case has passed away in the year 2019. The complaint in this case was lodged by the mother of the complainant, who is present before the court today and states that she has compromised the matter with the accused persons and does not want to pursue the case any further. The FIR in this case was registered under Section 498A and charges have also been framed under Section 498A of



IPC.

7. All the petitioners are present before this Court and have been identified by their counsel Ms. Seema Tiwari and Investigating Officer (IO) SI Sonu Kumar Jha Police Station Ambedkar Nagar, Delhi.

8. On the query made by this Court, respondent no.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 between the parties.

9. It is submitted that respondent no.2 has settled all her claims and has agreed that respondent no.2 shall open an account in the name of Ms. Vaishnavi and the settled amount of Rs.1,50,000/- (Rupees One lakh fifty thousand only) shall be paid by petitioners to respondent no.2 in three instalments and amount of Rs.50,000/- each already stands paid on 25.11.2023, 22.01.2024 and 22.03.2024 respectively by way of demand draft in favour of Vaishnavi (daughter of the deceased).

10. 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.

11. Accordingly, FIR bearing No.13/2019, registered at Police Station Ambedkar Nagar, Delhi for the offences punishable under Sections 498A/34 of IPC and all consequential proceedings emanating therefrom are quashed.

12. The petition stands disposed of.



13. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 8, 2024/hs

Click here to check corrigendum, if any