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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1438/2023**
AKASHPetitioner

Through: Mr. Vibhas Kumjar Jha, Advocate.

versus

STATE NCT OF DELHI & ANR. & ORS.Respondents
Through: Mr.Sanjay Lao, Standing Counsel
with SI Rajesh, P.S.M.Park.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

% **ORDER**
30.08.2024

1. The present Petition under Article 226 of the Constitution of India read with Section 482 of 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. 95/2019 registered under Section 376/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station K.N.Katju Marg, Delhi.
2. Issue notice.
3. Mr. Sanjay Lao, Standing Counsel, learned Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
4. It is submitted that Aakash, the petitioner is the brother of Naina who had matrimonial disputes with the brother of Naina and the complainant is the devrani of Naina and this FIR is arising out of a matrimonial dispute and with the intervention of family friends,



common friends, relatives and well wishers, the parties have amicably settled all the disputes and differences between them *vide* Compromise Deed dated 30.07.2019. The present FIR came to be registered after the filing of divorce petition.

5. Parties have already taken divorce by mutual consent dated 13.09.2022.

6. In view of the Compromise Deed dated 30.07.2019, the present petition has been filed.

7. The petitioner and respondent No. 2 are present before this Court in-person today, and they have been identified by their counsel and Investigating Officer concerned.

8. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 30.07.2019 and thus, no fruitful purpose will be served in continuing with the FIR.

9. The present petition has been signed by all the petitioner and is supported by his affidavit. The parties have reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

10. Today, the complainant/respondent No. 2, who is present in Court, states that she has voluntarily settled all the disputes with the petitioner and has no objection if the FIR is quashed.

11. 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.

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

13. Accordingly, FIR No. 95/2019 registered under Section 376/34 of the Indian Penal Code, 1860 (*hereinafter referred to as* “IPC, 1860”) at Police Station K.N.Katju Marg, Delhi and all consequential proceedings emanating therefrom are quashed.

14. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 30, 2024

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