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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 1445/2023
NEERAJ

.....Petitioner

Through: Mr. Nitin Saluja and Ms. Sanskriti
Bansal, Advocates.

versus

STATE (GOVT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, Ld. ASC
with ASI Om Prakash P.S. Sarai
Rohilla.

Mr. Ashutosh Kaushiki, Advocate for
R-2 with R-2 in person

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
10.07.2024

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1. A Petition under Article 226/227 of the Constitution of India read with Section 482 of Cr.P.C has been filed for quashing of FIR No.446/2016 under Section 324 IPC registered at P.S. Sarai Rohilla, Delhi on the ground of Mediation Settlement dated 05.08.2022.
2. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 31.01.2009, according to Hindu rites and ceremonies.
3. On 15.06.2016, a quarrel broke out between the parties and in the heat of the moment the petitioner attacked the respondent No.2 with a vegetable



knife.

4. It is further submitted that on 15.06.2016, on the complaint of respondent No. 2, an FIR bearing No. 446/2016, under Section 324 of the Indian Penal Code, 1860, got registered at Police Station Sarai Rohilla.

5. A Criminal Case Number Bearing Cr.Case 305319/2016 was registered against the petitioner which is pending before learned Metropolitan Magistrate, Tis Hazari, Courts, Delhi.

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 before Delhi Mediation Centre, Tis Hazari, Delhi dated 05.08.2022 wherein it was *inter alia* settled between the parties that both the parties shall not use abusive language or indulge in physical assaults and respect feelings of each other; both the parties shall live together peacefully and harmoniously.

7. It is further stated that the petitioner and respondent No.2 are husband and wife and are residing together. The respondent No.2 has signed her No Objection Certificate to quash the present matter.

8. The respondent No.2/wife is present before this Court in-person today, and has been identified by her counsel and Investigating Officer concerned.

9. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 446/2016 registered at Police Station Sarai Rohilla, for offences punishable under Sections 324 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* all the petitioner.



10. The parties shall remain bound by the Mediation Settlement dated 05.08.2022 arrived at between them voluntarily, without any force, pressure and coercion. Both the parties are directed to maintain cordial relationship and the petitioner is warned to not indulge in this kind of behaviour in future.

11. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 10, 2024/va