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

+ **CRL.M.C. 3624/2023**

**DR. PRIYANKA KUREEL AND ORS** ....Petitioners

Through: Mr. Sakesh Kumar, Advocate with  
petitioners in person through vc

versus

**STATE OF NCT OF DELHI AND ANR** ....Respondents

Through: Ms. Richa Dhawan, APP for State  
with SI P Buno PS Madhu Vihar  
Mr. Nitin Chaudhary, Mr. Lokesh  
Kumar, Mr. Ajay Kumar and Mr.  
Arun Kumar, Advocates for R-2  
R-2 in person through vc

**CORAM:**

**HON'BLE MR. JUSTICE CHANDRA DHARI SINGH**

**ORDER**

% **05.12.2024**

**Crl.M.A.26793/2024**

1. Learned counsel for the petitioners submits that he is not pressing the present application and has requested this Court to take on record the Settlement Agreement dated 23<sup>rd</sup> January, 2024 filed along with the present application.

2. Accordingly, the present application is dismissed being not pressed. However, the aforesaid Settlement Agreement is taken on record.

**CRL.M.C. 3624/2023 & Crl.M.As.13736-37/2023**

1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 [now Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS")] has been filed by the petitioners praying



for quashing of FIR bearing No. 1307/2014, registered at Police Station Madhu Vihar, for offences punishable under Sections 323/365/342/506/34 of the Indian Penal Code, 1860 (hereinafter “IPC”).

2. Learned Counsel appearing on behalf of the petitioners submitted that the marriage between the petitioner no.1 and the respondent no. 2/complainant was solemnized on 18<sup>th</sup> November, 2011 and no child was born out of the wedlock. It is further submitted that the respondent no. 2 physically assaulted petitioner no. 1, pursuant to which FIR No. 1277/14 was registered at Police Station – Kavi Nagar, Ghaziabad, Uttar Pradesh, under Sections 325/498A/34 of the IPC and that the instant FIR No. 1307/2014, registered at Police Station Madhu Vihar was filed thereafter in response to the aforementioned FIR.

3. It is submitted that with the intervention of family members and relatives, both the parties entered into settlement vide Settlement Agreement dated 23<sup>rd</sup> January, 2024. The terms and conditions of the said settlement are mentioned in the settlement deed which is annexed as Annexure A-1 to the petition.

4. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the settlement between the parties. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

5. Per contra, learned APP for the State submitted that there is no opposition to the prayer made on behalf of the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

6. Heard learned counsel for the parties and perused the record.



7. The Hon'ble Supreme Court in the case of ***Ramgopal and Ors. Vs. The State of Madhya Pradesh, 2021 INSC 568***, held that the inherent powers of the High Courts under Section 482 of CrPC can be invoked even when such a case falls within the ambit of non-compoundable offences given that the Court must be satisfied that the nature of the offence does not impact the conscience of the society and that the compromise between the parties is voluntary and amicable.

8. The petitioners are present before this Court through Video Conferencing and have been identified by his counsel Mr.Sakesh Kumar and Investigating Officer SI P. Buno, Police Station Madhu Vihar, Delhi. The respondent No.2 is also present before the Court through Video Conferencing and has been identified by his counsel and the Investigating Officer.

9. On the query made by this Court, respondent no.2 has categorically stated that he has entered into settlement on his own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

10. There is also no allegation from respondent no. 2 that the conduct and antecedents of petitioners have been improper towards him after the compromise.

11. Keeping in view the fact that parties have settled the matter and peace has been restored between them, as well as the undertaking given by the petitioner, no useful purpose would be served by keeping the matter pending.

12. Accordingly, FIR bearing No. 1307/2014, registered at Police Station Madhu Vihar, for offences punishable under Sections 323/365/342/506/34



of the IPC and the consequent proceedings emanating therefrom are quashed.

13. The petition stands disposed of along with pending applications, if any.

**CHANDRA DHARI SINGH, J**

**DECEMBER 5, 2024**

**Rt/st**

*Click here to check corrigendum, if any*