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

+ **CRL.M.C. 3046/2024**

SURESH @ SURESH KUMAR

..... Petitioner

Through: Mr. Basant Kumar Gautam, Advocate
alongwith petitioner in person

versus

THE STATE (N C T OF DELHI) AND ANR.

..... Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Mr. Ripundam Shahi,
Mr. Mahender Kumar Anand and Mr.
Ajay Yadav, Advocates and with SI
Gajender Singh, P.S. Punjabi Bagh.
Mr. Pawan Deep Advocate for R-2
with R-2 alongwith R-2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

25.04.2024

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CRL.M.A. 11760/2024 (exemption)

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

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3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking quashing of FIR bearing no. 09/2013, registered at Police Station Punjabi Bagh, Delhi for offence punishable under Section 324 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.



4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.
5. Petitioner is present before this Court and has been identified by his counsel Mr. Basant Kumar Gautam and Investigating Officer (IO) SI Gajender Singh from Police Station Punjabi Bagh, New Delhi.
6. Brief facts of the present case are that the marriage between petitioner and respondent no. 2 was solemnized on 02.12.2010 as per Hindu rites and ceremonies. No child was born out of the said wedlock. It is stated that due to temperamental differences arose between the parties, the present FIR bearing no. 09/2013 was registered at Police Station Punjabi Bagh, Delhi against the petitioner for offence punishable under Section 324 of IPC. After completion of investigation, the chargesheet was filed before the concerned Court and the case is pending trial. It is stated that respondent no. 2 had also filed a petition under Section 125 of Cr.P.C. for grant of maintenance before the Hon'ble Principal Judge, Family Court, South, Saket Courts, New Delhi. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes before Counselling Cell, Family Court, South District, Saket, New Delhi *vide* Settlement dated 06.06.2014 and that they have obtained decree of divorce from the concerned Court.
7. On a 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 *vide* Settlement Deed dated 06.06.2014. She further states that she has no objection, if the FIR is quashed.
8. 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.

9. Accordingly, FIR bearing no. 09/2013, registered at Police Station Punjabi Bagh, Delhi for offence punishable under Section 324 of IPC and all consequential proceedings emanating therefrom are quashed.

10. In view of above, the petition stands disposed of.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 25, 2024/ns

[Click here to check corrigendum, if any](#)