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

+ **CRL.M.C. 3249/2024**

ISHANT NAGPAL AND ORS.

..... Petitioners

Through: Mr. Rajbir Singh Sagar and Mr. Rajiv
Pratap Sing, Advocates alongwith
petitioners in person

versus

THE STATE(GOVT OF NCT OF DELHI) AND ANR.. Respondents

Through: Mr. Satish Kumar, APP for the State
with Mr. Madhav Rastogi, Mr.
Pardeep Singh Tomar, Advocates and
SI Amit Beriwal, P.S. Vivek Vihar
Respondent no. 2 in person

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **26.04.2024**

CRL.M.A. 12527/2024 (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 petitioners seeking quashing of FIR bearing no.66/2018, registered at Police Station Vivek Vihar, Delhi for the offences punishable under Sections 323/354/509/34 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 the State.
5. All the petitioners are present before this Court and have been identified by their counsel Mr. Rajbir Singh Sagar and Investigating Officer (IO) SI Amit Beriwal from Police Station Vivek Vihar, Delhi.
6. The brief facts of the present case are that petitioners and respondent no. 2 are relatives as the petitioner no. 1 is husband and respondent 2 is wife. Petitioner no. 2 and petitioner no. 3 are Dewar and father-in-law of respondent no. 2. It is stated that due to some matrimonial dispute, scuffle had taken place between the parties, upon which respondent no. 2 had made a police complaint at P.S. Vivek Vihar which was culminated into an FIR bearing no.66/2018 under Sections 323/354/509/34 of IPC against the petitioners. However, during the pendency of the abovesaid case, both the parties have amicably settled all their disputes *vide* Memorandum of Understanding (MoU)/Compromise Deed dated 02.03.2024.
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 settlement out of her own free will, volition and without any coercion, pressure or threat and has no objection, if the FIR is quashed.
8. In view of the above facts that the parties have amicably resolved their differences out 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 above mentioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.
9. Accordingly, FIR bearing no. 66/2018, registered at Police Station



Vivek Vihar, Delhi for the offences punishable under Sections 323/354/509/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 26, 2024/ns

Click here to check corrigendum, if any