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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3470/2024**

YOGESH TANDON & ORS.

.....Petitioners

Through: Mr. Aditya Singh and Mr. Sunny
Tiwari, Advocates.

versus

STATE & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State with SI Rajesh Kumar,
P.S.Vijay Vihar.
Mr. Nitish Gupta, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
23.09.2024

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1. The Petition under Section 482 of the Cr.P.C has been filed on behalf of the petitioners, seeking to quash the FIR No. 864/2017 dated 04.07.2017 for the offence under Section 498A/406/354/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Vijay Vihar, New Delhi.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. 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 *vide* Settlement Agreement dated 20.11.2023



before the Delhi Mediation Centre, Rohini District Courts, Delhi wherein it was *inter alia* settled between the parties that the petitioners shall transfer the title documents of Ground Floor of property Bearing No.Q-2/15, Budh Vihar, Phase-I, Delhi in favour of the respondent No. 2/wife. It is further settled between the parties that the custody of two children born out of the wedlock shall remain with the mother/respondent No.2

5. In view of the Settlement Agreement dated 20.11.2023, the present Petition has been filed.

6. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

7. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Agreement dated 20.11.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

8. The present petition has been signed by the petitioner and is supported by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Agreement dated 20.11.2023 and they also submit that the said Settlement dated 20.11.2023 has been arrived at between the parties, without any pressure and coercion.

9. Today, the respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

10. 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.

11. Moreover, there is no legal impediment in quashing the FIR in question. It is however, made clear that the settlement between the parties vide Settlement Agreement dated 20.11.2023 is without prejudice to the rights and entitlement of the children.

12. Accordingly, FIR No. 864/2017 dated 04.07.2017 for the offence under Section 498A/406/354/34 of the IPC registered at Police Station Vijay Vihar, New Delhi and all consequential proceedings emanating therefrom are quashed.

13. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 23, 2024

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