



\$~53

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

+ **CRL.M.C. 3667/2024**

SACHIN KUMAR & ORS.

..... Petitioners

Through: Mr Abhay Mani Tripathi, Ms Anjali Chand, Ms Shivangi Pandey and Mr Harsh Kumar, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr Hitesh Vali APP for the State with SI Subhash Kumar, PS Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

08.05.2024

%

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0390/2021 under Sections 498A/406/34 IPC registered at Police Station Sarita Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioner no.1 (husband), and petitioner nos.2 to 4, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (wife) are present in the Court and they have been identified by their respective



counsel and by the Investigating Officer SI Subhash Kumar, PS Sarita Vihar.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 19.11.2018 according to Hindu Rites and Customs. No child was born out of the said wedlock.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 16.03.2019. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties were referred to Mediation Centre, Saket Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 06.04.2024, a copy of which is annexed as Annexure P-5 to the present petition.

7. In terms of the said settlement, the parties decided to live together as husband and wife.

8. It has been agreed between the parties that they shall cooperate with each other in all possible manner and they shall fulfil all their duties and responsibilities towards each other and their family members.

9. It has also been agreed between the parties that the family/relative of the either party shall not interfere in their matrimonial life in any manner.

10. The respondent no.2, on a query put by the Court, affirms the fact that they are living together as husband and wife and states that she has no objection in case the FIR is quashed.

11. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.



12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.0390/2021 under Sections 498A/406/34 IPC registered at Police Station Sarita Vihar, Delhi alongwith all other proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 8, 2024
MK