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

+ **CRL.M.C. 4034/2024**

AAKASH & ORS.

..... Petitioners

Through: Mr A. Ali Khan, Advocate along with
petitioners.

versus

**THE STATE GOVT OF NCT OF DELHI
& ANR.**

..... Respondents

Through: Mr Raj Kumar, APP for the State
with Insp. Sandeep Rathi, PS Madhu
Vihar.

Mr D. P. Varma, Advocate for
respondent no.2 along with R-2 in
person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER
17.05.2024**

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CRL.M.A. 15350/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4034/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0198/2016 under Sections 498A/406/34 IPC registered at Police Station Madhu Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. The petitioner no.1 (husband), and petitioner nos.2 to 5, 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 Insp. Sandeep Rathi, PS Madhu Vihar.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.05.2011 according to Hindu Rites and Customs. Out of the said wedlock, one male child, namely, Vinay was born.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 29.12.2023. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 06.07.2017, a copy of which is annexed as Annexure P-2 to the present petition.

8. It is borne out from the settlement that the petitioner no.1 and respondent no.2 have decided to reside together as husband and wife. The petitioner no.1 and the respondent no.2, who are present in Court affirm that now they are residing together.

9. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

10. 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.

11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

12. Consequently, the petition is allowed and the FIR No.0198/2016 under Sections 498A/406/34 IPC registered at Police Station Madhu Vihar, Delhi alongwith all other proceedings emanating therefrom, is quashed.

13. The petition stands disposed of in the above terms.

14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 17, 2024

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