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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4279/2024**
JATIN MALHOTRA AND ORS

..... Petitioners

Through: Petitioners with their counsel Mr.
S.K.S. Bhadouria, Adv.

versus

THE STATE(GOVT OF NCT OF DELHI) AND ANR

..... Respondents

Through: Mr. Satish Kumar, APP for the State
along with Ms. Khushboo Kumari,
Ms. Megha Yadav and Mr. Karmesh
Pratap Singh Nagar, Advs. along with
SI Sachin, P.S. Jagatpuri.
Mr. C.S.S. Tomar, Adv. for R-2 with
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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24.05.2024

CRL.M.A. 16250/2024 (exemption)

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

CRL.M.C. 4279/2024

3. The present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the petitioners seeking quashing of the case arising out of FIR bearing No. 351/2017,



registered at Police Station Jagatpur, for offences punishable under Sections 354/323/341/506/509/34 of the Indian Penal Code, 1860 ('IPC').

4. Issue notice. Mr. Satish Kumar, learned APP accepts notice on behalf of the State. Mr. C.S.S. Tomar, Advocate accepts notice on behalf of respondent No. 2.

5. All the petitioners are present before this Court, and have been identified by their counsel Mr. S.K.S. Bhadouria and Investigating Officer SI Sachin from Police Station Jagatpuri.

6. Brief facts of the case are that on 02.02.2016, the marriage between petitioner No. 1 and respondent no. 2 was solemnized according to Hindu rites and customs. It is further stated that on 15.12.2017 when respondent No. 2 returned from job, she was not allowed to enter the house and her husband punched her and also strangulated her and her brother-in-law Nitin kicked on her chest and buttocks. He hit, kicked, punched and beat him a lot and even threatened to kill her. Respondent no. 2 became unconscious and the people nearby called PCR. Respondent no.2 was taken to the LBS Hospital where her MLC was done and respondent No. 2 suffered injuries. On 16.12.2017, on the complaint of respondent no.2, the above-said FIR got registered at Police Station Jagatpuri against the petitioner and his family members. It is further stated that as per affidavit dated 26.04.2024, the parties have mutually settled the dispute between them. The parties have already obtained divorce and also withdrawn the cases filed against each other. In view of the above settlement arrived at between the parties, the present petition for quashing of FIR has been filed.

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.

8. Today, the complainant who is present in Court states that she has no objection if the FIR is quashed.

9. 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, this Court is of the opinion that no useful purpose will be served by continuing 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. Moreover, there is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing No. 351/2017, registered at Police Station Jagatpur, for offences punishable under Sections 354/323/341/506/509/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 24, 2024/A

Click here to check corrigendum, if any