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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5000/2024,CRL.M.A. 19114/2024,CRL.M.A. 19115/2024
RAMASHISH RAM & ORS.Petitioners

Through: Ms.Kusum Sah, Adv. with petitioners
in person.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr.Digam Singh Dagar, APP for the
State.
ASI Satish Sharma, PS Jahangirpur

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

% **ORDER**
21.08.2024

CRL.M.A. 19114/2024& CRL.M.A. 19115/2024 (exemption)

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 5000/2024

1. Present petition has been filed under section 482 CrPCfor quashing of FIR No.459 dated 30.09.2017 under Section 498A/406/34 IPC at PS Jahangir Puri and all the other proceedings emanating therefrom.
2. Learned Counsel for the petitioner submits that the parties got married on 17.11.2007 according to Hindu rites and ceremonies. Three children were born out of the wedlock namely Neha Kumari, Beera Kumari and HarshKumar.However, due to some matrimonial difference the parties



started residing separately and the present FIR No.459 dated 30.09.2017 under Section 498A/406/34 IPC at PS Jahangir Puri was lodged. However, now the parties have settled the matter.

3. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably, and in furtherance thereof, they have entered into a settlement agreement dated 18.05.2024.
4. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No.459 dated 30.09.2017 under Section 498A/406/34 IPC at PS Jahangir Puri and all the other proceedings emanating therefrom.
5. I have gone through the settlement deed dated 18.05.2024 which has been placed on record. The settlement agreement provides for the following terms and conditions:
 - a). *It has been agreed between the parties that they will not file case or complaint against each other and their family.*
 - b). *It has been agreed between the parties that the husband/Party No. 2 shall pay all the expenses and bear all the family responsibility willfully.*
 - c). *It has also been agreed between the parties that both parties jointly co-operate to file a Quashing petition before the Hon'ble Delhi High Court to quash the FIR No. 0459 Of 2017 Dated 30.09.2017 Registered in P.S. Jahangir Puri, District North West, Delhi U/S 498A/406/34 Of IPC same is pending in P.S. Jahangir Puri and No chargesheet has been filed till date.*
 - d) *It has also been agreed between the parties that Party No. 1 have the right to care and custody of the children and their education and day to day expenses etc.*
 - e) *It has also been agreed that both parties shall withdraw their cases if any filed by them against each other and no any case, suit,*



complaint will file against each other in future.

6. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non- compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon: ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675; ***K. Srinivas Rao v. D.A.Deepa***, (2013) 5SCC 226; ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***, 2019 SCC OnLine Del 8179.
7. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 submits that she has entered the settlement voluntarily without any fear, force, or coercion. She submits that other petitions have already been withdrawn or dismissed. As the disputes have been settled vide settlement deed dated 18.05.2024, she has no objection if FIR No.459 dated 30.09.2017 under Section 498A/406/34 IPC at PS Jahangir Puri and all the other proceedings emanating therefrom are quashed.
8. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.



9. In view of the above, FIR No.459 dated 30.09.2017 under Section 498A/406/34 IPC at PS Jahangir Puri and all the other proceedings emanating therefrom are quashed.
10. The petition stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 21, 2024/rb/na