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

+ **W.P.(CRL) 2076/2024**

AMIT KUMAR & ORS.

.....Petitioners

Through: Mr. Kapil Tyagi, Mr. Chirag Messy
and Mr. Rishabh Tyagi, Advocates
with petitioners.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with SI Bharat Singh, PS
Uttam Nagar.
Counsel for respondent No. 2 with
respondent No. 2.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
11.07.2024

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CRL.M.A.20086/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners, for quashing the FIR No. 0316/2023, under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*), registered at Police Station Uttam Nagar, Delhi.



4. Issue notice.
5. Mr. Sanjay Lao, learned Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 17.01.2013, according to Hindu rites and ceremonies and one male child and one female child were born out of the said wedlock.
7. It is further submitted that on 24.06.2023, on the complaint of respondent No. 2, an FIR No. 0316/2023, under Sections 498A/406/34 of the IPC, got registered at Police Station Uttam Nagar, Delhi.
8. It is submitted in the Petition that the parties have amicably settled all the disputes and differences between them and arrived at a settlement vide MOU dated 05.09.2023, wherein they have agreed to reside together and the parties are residing together since 23.08.2023.
9. In view of the MOU dated 05.09.2023, the present petition has been filed.
10. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. They have endorsed that all the differences stand dissolved and they are living amicably and harmoniously since 23.08.2023
11. The parties have submitted that all the disputes have been amicably settled *vide* MOU dated 05.09.2023 and thus, no fruitful purpose will be served in continuing with the FIR.
12. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* MOU dated 05.09.2023 and they also



submit that the said MOU dated 05.09.2023, has been arrived at between the parties, without any pressure and coercion.

13. Today, the complainant/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.

14. 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.

15. Moreover, there is no legal impediment in quashing the FIR in question.

16. Accordingly, FIR No. 0316/2023, under Sections 498A/406/34 of the IPC, got registered at Police Station Uttam Nagar, Delhi and all consequential proceedings emanating therefrom are quashed.

17. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 11, 2024/RS