



\$~2

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

+ **CRL.M.C. 5318/2024**

AZAD KHAN & ORS.

.....Petitioners

Through: **Ms. Kumari Muskan, Adv. (thru VC)**
versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: **Mr. Hitesh Vali, APP for the State**
with Ms. Manvi, Mr. Sunny, Mr.
Manoj Malik, Mr. Vipin Khera, Mr.
Pankaj Tyagi, Mr. Vinit, Mr. Nitin
Garg & Mr. Naushad Alam,
Advocates
SI Ayushi PS Bh. Dairy
Ms. Divya Malhotra, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

25.07.2024

1. This petition is filed seeking quashing of FIR No.114/2019 under Sections 498A/406/34 IPC registered at PS Bhalswa Dairy on the basis of settlement arrived at between the parties on 22nd January 2024, which is on record of this Court.
2. Petitioner nos. 1 to 4 and respondent no.2 are present in the Court and duly identified by the IO and their respective counsels.
3. As per settlement, petitioner no.1 and respondent no.2, who are married and have two male children out of this wedlock, have decided to resolve their marital discord and live together in peace and harmony along with their children. Respondent no.2 confirms the factum of settlement and states that she has no objection to quashing of the FIR noted above.



4. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer.
5. Accordingly, the petitions are allowed and FIR No.114/2019 under Sections 498A/406/34 IPC registered at PS Bhalswa Dairy and proceedings emanating therefrom are quashed.
6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition stands disposed of. Pending applications, if any, are disposed of as infructuous.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 25, 2024/sm