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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5507/2024, CRL.M.A. 21021/2024**
DHARMENDER DAGAR & ORS.

.....Petitioner
Through: Ms. Jyoti Batra, Advocate with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR.

.....Respondent
Through: Mr. Satinder Singh Bawa, Ld. APP
with SI Rishi Kant Mishra, P.S.
Vasant Kunj, North.
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
22.07.2024

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CRL.M.A. 21020/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CRL.M.C. 5507/2024

3. The Petition under 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, seeking to quash the FIR No. 372/2021, registered under Sections 323/498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Vasant Kunj, North.
4. Issue notice.



5. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor 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 17.02.2014, according to Hindu rites and ceremonies and one male child Master Tejas was born out of the said wedlock on 10.12.2017.
7. It is further submitted on the complaint of respondent No. 2, an FIR bearing No. 372/2021, registered under Sections 323/406/498A/34 of the Indian Penal Code, 1860, got registered at Police Station Vasant Kunj, North.
8. It is stated that the petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement in November, 2022 wherein it was *inter alia* settled that respondent No.2 shall withdraw her both the cases i.e. MT No.32/21 under Section 125 Cr.P.C and CC No.410/21 under Section 12 of DV Act from the concerned courts and join the company of the petitioner No.1 at matrimonial home.
9. It is further stated that as per the terms and conditions of the Settlement it has been agreed between the parties that they will live with each other peacefully/happily and try their best to develop love and affection towards each other. It is further agreed that any type of physical, emotional or financial abuse, abusive languages, insults, parental references, mental torture on status will not occur during the whole tenure of marriage in future.
10. It is also agreed that all the cases will be withdrawn by both the parties pending in any court of law and that the respondent No.2 shall



cooperate in quashing of FIR 372/2021.

11. In view of the Settlement arrived at between the parties in November, 2022, the present petition has been filed for quashing of FIR No.372/2021.

12. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

13. The parties have submitted that all the disputes have been amicably settled *vide* Settlement arrived at in November, 2022 and thus, no fruitful purpose will be served in continuing with the FIR.

14. 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* Settlement arrived between them in November, 2022 and they also submit that the said Settlement has been arrived at between the parties without any pressure and coercion.

15. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has no objection if the FIR is quashed.

16. 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.

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

18. Accordingly, FIR No. 372/2021 for the offence punishable under Sections 323/406/498A/34 of IPC, 1860, Registered at Police Station Vasant Kunj, North and all consequential proceedings emanating therefrom are



quashed.

19. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 22, 2024/va