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

+ **CRL.M.C. 5611/2024**

RAJIV KUMAR BABBAR & ORS.Petitioners

Through: **Mr. Pradeep Kumar Anand &
Mr. Sailesh S. Charles, Advs.**

versus

THE STATE NCT OF DELHI AND ANRRespondents

Through: **Mr. Hitesh Vali, APP for the State**
SI Rahul Yadav PS Kirti Nagar

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER

% **24.07.2024**

CRL.M.A.-21425/2024

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

CRL.M.C. 5611/2024

1. This petition is filed for quashing of FIR No.411/2016 under sections 406/498-A/34 IPC registered at P.S. Kirti Nagar on the basis of settlement arrived at between the parties with the facilitation of Delhi Mediation Centre, Tis Hazari Courts, Delhi on 1st July 2022, which is on record of this Court.
2. Petitioner nos.1 and 2 and respondent no.2 complainant are present in Court and are duly identified by the IO. Petitioner no.3 is not available and is stated to be residing in USA and is represented through his Power of Attorney, petitioner no.2, his mother.
3. Complainant was married to petitioner no.1 on 28th November 2010



and one male child was born out of the said wedlock. However, due to matrimonial discord they started living separately and their marriage resulted in divorce by decree dated 28th August 2023.

4. Respondent no.2/complainant states that she has no objection to quashing of the FIR since she has settled issued with petitioner no.1

5. 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. Accordingly, the petition is allowed. Consequently, the FIR No.411/2016 under sections 406/498-A/34 IPC registered at P.S. Kirti Nagar and proceedings emanating therefrom are quashed.

6. Parties shall abide by the terms of settlement.

7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

8. It is however made clear that the said settlement will not affect the rights of the minor child in future.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 24, 2024/sm