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

+ **CRL.M.C. 5901/2024, CRL.M.A. 22579/2024**

PRAVEEN PANDEY AND ORS.

.....Petitioners

Through: Mr. Pujya Kumar Singh, Mr. Pratham
Pratap Singh, Mr. Shainki Kumar,
Advs.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with ASI Partap Singh, PS
Nihar Vihar.
Mr. Rahul Bharati, Mr. Amit Kumar,
Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

01.08.2024

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1. The present petition has been filed under Section 482 Cr. PC seeking quashing of FIR No. 1184/2020 registered at PS Nihal Vihar, Delhi under Sections 498A/406/34 IPC.
2. Parties are living together as per the MOU dated 13.07.2022 at Additional Principal Judge, Family Courts, West, THC, Delhi on following terms and conditions;

It is agreed that parties that they will start living together in the address T/172, Friday market, Matiala Uttam Nagar, Delhi from 25.06.2022.

It is further agreed between the parties that petitioner/respondent will withdraw the case which is pending



before the court of Ms. Ilia Rawat Principal Judge, Family Court Central, Tis Hazari , Delhi .

It is further agreed between parties that both the petitioner and the respondent shall reside as dutiful husband and wife and carry out their marital duties and responsibilities.

It is agreed between the parties that they have understood the terms and conditions of the settlement in vernacular.

Husband will do all the expenses of house, electricity, water bill room rent, medical expenses, education and any other.

The above said settlement has been arrived at between the parties out of their own free will and without any force, pressure and coercion.

The parties will appear before the concerned Hon'ble court on 29.07.2022

3. 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.***



4. 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.
5. 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.
6. In view of the above, FIR 1184/2020 registered under Section 498A/406/34 IPC at PS Nihal Vihar, Delhi and all the other proceedings emanating therefrom are quashed.
7. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

AUGUST 1, 2024

Pallavi/Na