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

+ **CRL.M.C. 9006/2023**

VINOD KUMAR

.....Petitioner

Through: **Mr. Rahul Tyagi and Ms. Komal Sharma, Advocates (M:9958207800).**

versus

THE STATE AND ANR

.....Respondents

Through: **Mr. Nawal Kishore Jha, APP for State with Inspector Rajni Chopra along with SI Roghuvir Prasad PS Khyala, Delhi (M:9999962062).**

Mr. Sumit Kumar, Mr. G.K. Chauhan, Ms. Varsha Aggarwal, Advocates for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

23.07.2024

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1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioner seeking quashing of FIR No. 713/2015 registered under Sections 498-A/34 IPC at P.S. Khyala, Delhi on the ground that the parties have amicably settled their disputes.
2. The present case relates to an FIR which was initially registered 498A/304B/34 IPC.
3. Mr. Nawal Kishore Jha, learned APP for the State submits that in the present case petitioner is the only accused and respondent No. 2 is the brother of the deceased. He further states that charge-sheet has been filed.
4. Learned counsel for the petitioner states that the parties have settled their disputes before the Trial Court on 18.04.2023. He further states that



though charge-sheet was filed against the present petitioner under Sections 498A/304B/34 and also against his father namely Ram Singh under Section 498A/34 IPC. It is informed that During the pendency of the proceedings, Shri Ram Singh has expired and that the Trial Court vide order dated 08.08.2019 has discharged the present petitioner for the offence under Section 304B IPC. A copy of the order dated 08.08.2019 has been handed over today in the Court which is taken on record. He states that the said order dated 08.08.2019 has not been assailed either by the State or by the complainant. Learned counsel for the petitioner further submits that the trial is proceeding against the present petitioner only under Section 498A IPC. Learned APP for the State, on instructions, does not dispute the aforesaid position. Learned counsel for the petitioner further states that the present complaint came to be lodged by Mr. Brij Mohan, the brother of the deceased/victim (the respondent No.2 herein).

5. Petitioner, who present in Court, has been identified by his counsel as well as by I.O./ Inspector Rajni Chopra along with SI Roghuvir Prasad PS Khyala, Delhi.

6. Mr. Brij Mohan (respondent No.2) is also present in the Court and is identified by his counsel as well as by the IO. He states that he has no objection to the quashing of the instant FIR, since the child born out of the marriage is looked after the petitioner.

7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements and undertaking made in Court today.

9. In view of the above facts and since no useful purpose will be served



in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

10. With the above directions, the petition is disposed of.

DASTI

MANOJ KUMAR OHRI, J

JULY 23, 2024/rd