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

+ **W.P.(CRL) 2521/2024**

PRASHANT KUMAR DEY & ORS.

.....Petitioners

Through: Mr. Tripurari Tiwari and Mr. Vedang Khera,
Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Nandita Rao, ASC (Crl.) with Amit
Peswani and Mr. Ankur Raghav, Advocates
alongwith SI Chanchal, P.S.C.R.Park.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **20.08.2024**

CRL.M.A.24565/2024 (Exemption)

1. Exemption allowed, subject to all jus exceptions.
2. The application stands disposed of.

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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. 0177/2022, registered under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Chitranjan Park.
4. Issue notice.



5. Ms. Nandita Rao, learned Standing Counsel 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 31.12.2019, according to the Vedic rites and ceremonies and **no** child was born out of the said wedlock.
7. It is further submitted that on 06.06.2022, on the complaint of the respondent No. 2, an FIR bearing No. 0177/2022, for the offence under Section 498A/406/34 of the IPC, got registered at Police Station Chitranjan Park.
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 Deed dated 08.05.2024 wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent.
9. In view of the Settlement Deed dated 08.05.2024, the present Petition has been filed.
10. The parties are present before this Court through Video Conferencing today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.
11. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 08.05.2024 and thus, no fruitful purpose will be served in continuing with the FIR.
12. 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 Deed dated 08.05.2024 and they also submit



that the said Settlement Deed dated 08.05.2024 has been arrived at between the parties without any pressure and coercion.

13. 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.

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

15. Accordingly, FIR No. FIR No. 0177/2022 for the offence punishable under Sections 498A/406/34, registered at Police Station Chitranjan Park and all consequential proceedings emanating therefrom are quashed.

16. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 20, 2024

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