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

+ **CRL.M.C. 6728/2024**

JITENDER FANARIA & ORS.

.....Petitioners

Through: Ms. Asha Barak, Mr. Shaivender
Rana & Mr. Gaurav Barak,
Advocates

versus

STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State & SI Kuldeep Singh PS Sun
Light Colony
Ms. Vasudha Bajaj, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

29.08.2024

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1. This petition has been filed seeking quashing of FIR No.27/2021 registered at PS Sun Light Colony, Delhi under Sections 498A/406/34 IPC on the basis of settlement arrived at between the parties dated 20th April 2024, which is on record of this Court.
2. Petitioner nos.1-3 and respondent no. 2 are present in Court and are duly identified by IO and the respective counsels. Respondent no.2/complainant states that she has no objection to quashing of the FIR however pleads for protection of rights of her minor daughter.
3. The marriage of petitioner no.1 and respondent no. 2 culminated in a divorce by decree dated 16th July 2024. One female child was born out of wedlock.
4. 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.27/2021 registered at PS Sun Light Colony, Delhi under Sections 498A/406/34 IPC and proceedings emanating therefrom are quashed.

5. Parties shall abide by the terms of settlement.
6. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
7. It is however made clear that the said settlement will not affect the rights of the minor child in future.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 29, 2024/sm