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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6829/2024, CRL.M.A.26153/2024
FAKIRCHAND & ANR.

.....Petitioners

Through: Ms. Gita Dhingra, Advocate

versus

GOVT. OF N.C.T. OF DELHI. & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, Ld. APP
for the State with SI Sheetal and Insp.
Amit Dutt, P.S. K.M. Pur.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
30.08.2024

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1. A Petition under Section 528 of BNSS has been filed on behalf of the petitioners for quashing of FIR No.296/2020 under Section 354/354A/509/34/376 IPC registered at Police Station Kotla Mubarakpur.
2. Briefly stated Shri Manish son and brother of petitioners was married to respondent No.2 on 28.01.2008 according to Hindu Rites and Ceremonies and two children aged about 14 and 13 years were born from the said wedlock.
3. It is further submitted that due to temperamental difference the parties had been living separately from each other since 13.07.2020. After separation respondent No.2 filed two separate complaints for which two FIRs bearing Nos.653/2020 under Section 498-A/406/34 IPC P.S. Hari



Nagar and FIR No.296/2020 under Sections 354/354-A/506/34/376 Police Station Kotla Mubarakpur were recorded.

4. It is stated that during the pendency of both the cases, petitioner No.1's son i.e the husband of respondent No.2 and respondent No.2/wife with the intervention of respectable of both the family members, close friends, relatives and well wishers and also keeping in view the future of tow minor children reached to an amicable settlement on their own accord and free will and consent without any pressure and coercion from any corner.

5. It is further stated that as per the MOU/Settlement Agreement dated 12.07.2024 both the petitioners and respondent No.2 have decided to stay separately. It is submitted that as per the terms of the Settlement dated 12.07.2024 the respondent No.2 along with her husband and children has shifted to a rented accommodation and is living separately from the petitioners and is not in visiting terms with the petitioners. It is submitted that FIR No. 653/2020 under Section 498-A/406/34 IPC P.S. Hari Nagar has already been quashed by the Coordinate Bench of this Court and a prayer is made the present FIR No. 296/2020 under Sections 354/354-A/506/34/376 Police Station Kotla Mubarakpur be also quashed considering the Settlement arrived at between the parties vide Settlement Deed dated 12.07.2024.

6. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

7. The parties have submitted that all the disputes have been amicably settled *vide* Compromise Deed dated 12.07.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

8. The present petition has been signed by all the parties and is



supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Compromise Deed dated 12.07.2024 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

9. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has no objection if the FIR is quashed.

10. 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, I am of the opinion that 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.

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

12. Accordingly, FIR No. 296/2020 under Sections 354/354-A/506/34/376 Police Station Kotla Mubarakpur, and all consequential proceedings emanating therefrom are quashed.

13. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 30, 2024/va