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

+ **W.P.(CRL) 2692/2024**

PRADEEP GUPTA

.....Petitioner

Through: Mr. Mithan lal, Adv. with petitioner.

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State and SI Soamya Kulhar, PS
Tigri.

Mr. Mohit Sharma, Adv. with R-2.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

02.09.2024

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1. The Present petition has been filed under section 482 Cr.P.C for quashing of FIR No. 182/2022 dated 18.04.2022 registered under Section 498A/406/34 IPC at PS Tigri and all the other proceedings emanating therefrom.
2. Learned Counsel for the petitioner submits that Respondent no.2/complainant married petitioner on 02.07.2017 in accordance with the Hindu Rites and Ceremonies and one child was born out of the said wedlock on 20.08.2020. However, on account of temperamental differences and mental incompatibility, the parties started living separately from 05.10.2018 and instituted multiple litigations against each other and their respective families including the present FIR.
3. Learned Counsel further submits that during the pendency of the



proceedings, the parties have resolved their disputes amicably and in furtherance thereof, they have entered into a settlement agreement dated 13.07.2022 on the following terms and conditions:

- “1. It is agreed between the parties that they will start living together in the H.No. 164, G. NO. 2 Block, Sangam Vihar, Ratia Marg Road, Gali No. 18, Delhi.*
- 2. It is further agreed between the parties that the petitioner/respondent will withdraw the case which is pending in the court of w.e.f. 13.07.22 Sh. Vinod Kumar, Principal Judge, Family court, South Saket, Delhi*
- 2a. The respondent, Pradeep Gupta also Rs. One Thousand Five Hundred only as pocket money to this wife, Rani Gupta petitioner on or before 10th day of expiry month start from July 2022.*
- (b) The respondent, Pradeep Gupta all the house hold expenses electricity with bills Grocery, medical expenses towards his wife and daughter Tina 1 year old.*
- (c) Both of the maintain peace of harmony in the family and not use any abusing language against each other.*
- 3. It is further agreed between the parties that both the petitioner and the respondent shall reside as dutiful husband and wife and carry out their marital duties and responsibilities.*
- 4. It is further agreed between the parties that they have understood of their own free will and without any force, pressure and coercion and the parties have signed it in my presence.”*
4. Pursuant to the settlement, it is submitted by both parties that now they are residing together since last 4 years.
5. Furthermore, the Learned Counsel for the petitioners submits that since



the parties have resolved all their differences amicably and have also started living together peacefully, therefore, it would be in the interest of justice to quash FIR No. 182/2022 dated 18.04.2022 registered under Section 498A/406/34 IPC at PS Tigri and all the other proceedings emanating therefrom.

6. 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.***
7. 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.
8. 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.
9. In view of the above, FIR No. 182/2022 dated 18.04.2022 registered



under Section 498A/406/34 IPC at PS Tigriand all the other proceedings emanating therefrom are quashed.

10. The present petition along with all the pending applications, if any stand disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 2, 2024/AR/DG..