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

+ **CRL.M.C. 222/2024**

SH. JITENDER PRASAD AND ORS.

..... Petitioners

Through: Mr Rajneesh Kapoor, Mr S. S. Rawat
and Mr Narender Kumar, Advocates
along with petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Neha, PS Gokalpuri.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

10.01.2024

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CRL.M.A. 883/2024

1. This is an application for condonation of delay of 57 days in re-filing the petition.
2. For the reasons mentioned in the application, the same is allowed.
3. The application is disposed of.

CRL.M.A. 881-82/2024

4. Allowed, subject to all just exceptions.

CRL.M.C. 222/2024

5. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0345/2019 under Sections 498A/406/323/34 IPC registered at Police Station Gokul Puri and all consequential proceedings



emanating therefrom on the ground that the parties have arrived at a settlement.

6. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

7. The petitioner no.1 (former husband) and petitioner nos.2 to 6, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsels and by the Investigating Officer SI Neha, PS Gokalpuri.

8. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 24.04.2014 according to Hindu Rites and Customs. Out of the said wedlock, two children, namely, Baby Himanshi and Master Devid were born, who are in the care and custody of the respondent no.2.

9. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 24.03.2019. The dispute between the parties also led to the registration of present FIR.

10. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 12.04.2022, which is annexed as Annexure P-3 to the present petition.

11. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 28.05.2022, which is annexed as Annexure P-6 to the present petition.



12. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.
13. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.
14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
15. Consequently, the petition is allowed and the FIR No.0345/2019 under Sections 498A/406/323/34 IPC registered at Police Station Gokul Puri alongwith all other proceedings emanating therefrom, is quashed.
16. The petition stands disposed of in the above terms.
17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 10, 2024
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