



\$~61

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

+ **W.P.(CRL) 2734/2024**

SUSHANT SINGH & ORS.

.....Petitioners

Through: Mr. S.P. Singh, Ms. Suchetan, Mr.
Rahul Kimar, Mr. Mohit Chaurasia
and Ms. Sanjeeta Kataria, Advocates

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyaa,, ASC for
the State with SI Ghanshyam PS
Wazirabad
Mr. Baldev Singh, Adv. for R-2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

06.09.2024

CRL.M.A. 26880/2024(Exemption)

1. Allowed subject to just exceptions.
2. Application accordingly disposed of.

W.P.(CRL) 2734/2024

3. The Petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, 2023 has been filed on behalf of the petitioner, seeking to quash the FIR No. 524/2022 for the offence under Sections 498/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Wazirabad.
4. Issue notice.



5. Learned Additional 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 and respondent No. 2 on 10.05.2009 according to the Hindu rites and ceremonies and no child was born out of the said wedlock.
7. It is stated that the petitioner and the respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 18.12.2023 wherein it was *inter alia* settled between the parties that the respondent No. 2/wife and the petitioner/husband dissolved their marriage by decree of mutual consent on 30.05.2024. It is stated that petitioner/husband shall pay a sum of Rs. 6,00,000/- towards full and final settlement of all the claims of the respondent No. 2/wife
8. It is stated that the petitioner has already paid Rs. 5,00,000/- to the respondent No. 2, and a demand draft bearing No. 031902 for a sum Rs. 1,00,000/- i.e the balance amount, has been handed over to the respondent No. 2/wife by the in the Court today.
9. The parties are present before this Court in-person 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.
10. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 18.12.2023 has been arrived at between the parties, without any pressure and coercion and thus, no fruitful purpose will be served in continuing with the FIR.
11. Today, the respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is



quashed.

12. 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.

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

14. Accordingly, FIR No. 524/2022 for the offence under Sections 498/106/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Wazirabad and all consequential proceedings emanating therefrom are quashed.

15. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 6, 2024/PT