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

+ **CRL.M.C. 7277/2024**

LOVE ARORA & ORS.

.....Petitioners

Through: Mr. Ranjan Kumar Rai, Adv with
petitioner in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Bharat Singh, PS Uttam Nagar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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13.09.2024

CRL.M.A. 27784/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 7277/2024

3. The Present petition has been filed under section 482 Cr.P.C for quashing of FIR No. 590/2023 dated 27.09.2023 registered under Section 498A/406/34 IPC at PS Uttam Nagar and all the other proceedings emanating therefrom.
4. Learned Counsel for the petitioner submits that Respondent no.2/complainant married petitioner no.1 on 11.12.2021 in accordance with the Hindu Rites and Ceremonies and one child namely Master Maulik Arora was born out of the said wedlock. However, on account of temperamental differences and mental incompatibility, the parties



started living separately and instituted multiple litigations against each other and their respective families including the present FIR.

5. 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 reconciliation agreement dated 07.12.2023 recorded at Counselling Cell, Family Courts, Dwarka Courts, New Delhi and are now residing together peacefully.
6. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No. 590/2023 dated 27.09.2023 registered under Section 498A/406/34 IPC at PS Uttam Nagar and all the other proceedings emanating therefrom.
7. I have gone through the reconciliation agreement dated 07.12.2023 which has been placed on record. The reconciliation agreement provides for the following terms and conditions:

“1. It is mutually agreed between the parties that they will start living together wef.07/12/23 at WZ 37A, D Block Phase III, Om Vihar, Uttam Nagar, New Delhi along with their Minor son master Maulik Arora age 01year and 03 months.

2. It is further agreed between the parties that the husband/Respondent shall bear all the household expenses, educational expanses of their child and medical expenses of child and mother.

3. It is further agreed between the parties that they will treat each other with respect and love and shall fulfil all their marital obligations and not indulge in any kind of domestic violence and relatives and parents of the either parties shall not interfere in their matrimonial lives.



4. It is further agreed between the parties that the parties that petitioner/wife shall withdraw her pending cases of 125crpc pending in the present Hon'ble court of Sh. Vipin Kumar Rai Ld. Judge, family court, Dwarka and case of Domestic violence pending the Hon'ble court of Ms. Kritika Jain(MM) District court, Dwarka after three months of happily living together.

5. It is further agreed between the parties that the parties that petitioner/wife shall cooperate in quashing of FIR 0590/23 Police Station Uttam Nagar, U/S 498A/406/34 IPC before the Hon'ble High Court of Delhi after 06 months of happily living together in lieu of this settlement.

6. It is further agreed between the parties that the parties have read and understood the contents of this settlement and shall remain bound with the terms and conditions as mentioned in this settlement.”

8. 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.***
9. Moreover, the petitioner no.1 and respondent no.2 had solemnized marriage and it is in interest of the society to settle and re-settle the



family for their welfare. Therefore the Court in Kapil Gupta v. State (NCT of Delhi) 2022 SCC Online SC 1030 observed that the matrimonial dispute should be quashed in light of the new beginning for the distressed family.

10. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 states that she is now peacefully living at her matrimonial home and further submits that she has entered the settlement voluntarily without any fear, force, or coercion.
11. 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.
12. In view of the above, FIR No. 590/2023 dated 27.09.2023 registered under Section 498A/406/34 IPC at PS Uttam Nagar and all the other proceedings emanating therefrom are quashed.
13. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 13, 2024/AR/KR..