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

+ **CRL.M.C. 7344/2024**

BHIM KUMAR

.....Petitioner

Through: Mr. Siddharth Jain, Advocate with
petitioner in court.

versus

STATE & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Jaspreet Pannu, P.S.: Nabi Karim.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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17.09.2024

CRL.M.A. 28015/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.A. 28016/2024

By way of the present application filed under 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the petitioner seeks condonation of 64 days' delay in *re-filing* of the present petition.

2. For the reasons stated in the application, which is duly supported by an affidavit, the application is allowed.
3. Delay in *re-filing* the petition is condoned.
4. The petition taken on Board.
5. The application stands disposed-of.



CRL.M.C. 7344/2024

6. By way of the present petition filed under section 482 of the Cr.P.C. read with Article 227 of the Constitution of India, the petitioner seeks quashing of case FIR No. 0413/2022 dated 21.10.2022 registered under sections 328/376/377/313/509/506 of the Indian Penal Code, 1860 ('IPC') at P.S.: Nabi Karim, Delhi.
7. The petition is premised on Memorandum of Understanding dated 30.04.2024 (MoU), whereby the contesting parties have resolved the matter amicably; and Certificate of Marriage dated 14.10.2023 issued by the Arya Samaj Vivah Sthal Trust, Rajindra Market, Delhi recording the factum of marriage between the petitioner and respondent No. 2.
8. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proof of their I.D.s.
9. The petitioner and respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer.
10. The court has interacted with respondent No.2, as also with the petitioner, who have confirmed that they have now resolved the matter and an MoU has been signed by them closing all issues amicably. Parties confirm that they are now married to each other and are residing together. Parties now wish to live in peace and harmony going forward.
11. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.



12. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
13. Accordingly, case FIR No. 0413/2022 dated 21.10.2022 registered under sections 328/376/377/313/509/506 IPC at P.S.: Nabi Karim, Delhi is quashed. All proceedings arising therefrom also stand closed.
14. The petition stands disposed-of.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 17, 2024

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