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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7351/2024**
MOHAN & ORS.

.....Petitioner

Through: Mr. Rahul Tiwar, Adv.

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Satinder Singh Bawa, Ld. APP
for the State with W/ASI Mimme PS
Puunjabi Bagh

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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17.09.2024

CRL.M.A. 28030/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 7351/2024

3. The Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C., 1973'*) has been filed on behalf of the petitioner, seeking quashing of the FIR No. 367/2022 for the offences under Section 498A/406/354/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Punjabi Bagh.
4. Issue notice.
5. Learned APP 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 No. 1/husband and respondent No. 2/wife on 24.08.2009 according to the Hindu rites and ceremonies and two children were born out of the said wedlock.

7. It is stated that the petitioner No. 1 and the respondent No. 2 have amicably settled all the disputes and differences between them vide Settlement Deed dated 16.02.2024 wherein it is stated that the Petitioner No. 1 shall reside together in the house bearing No. D 39 A, Old Slum Quarters, Paschim Puri, Delhi which has been gifted by the Petitioner No. 3 Smt. Virwati to Petitioner No. 1 and Respondent No. 2 jointly.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

9. The present petition has been signed by the petitioner and is supported by the affidavits of the parties. The petitioner No. 1 submits that even though they have reconciled their differences but he is still living in a rented premise and is also bearing all the expenses of the children and is getting no support from the respondent No.2. However, he has found his peace in this mechanism and wants the quashing of the FIR.

10. Today, the respondent No. 2/wife, who is present in the Court, states that she has no objection if the FIR is quashed.

11. 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.

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

13. Accordingly, FIR No. 367/2022 for the offences under Section 498A/406/354/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Punjabi Bagh and all consequential proceedings emanating therefrom are quashed.

14. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 17, 2024/PT