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

+ **CRL.M.C. 7505/2024 & CRL.M.A. 28614/2024**

GURPREET SINGH & ORS.Petitioners

Through: Mr. Abhishek Gusain, Advocate with
petitioner no. 1-2 in person.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Ritu PS: Ashok Vihar.
R-2 in person (thru VC)

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
07.11.2024

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1. This petition has been filed seeking quashing of FIR No.395/2018 registered with PS Ashok Vihar, Delhi, under Sections 498-A/406/34 IPC based on settlement arrived at between petitioner no.1 and respondent no.2, dated 3rd May 2023, which is on record of this Court.
2. Petitioner nos.1 and 2 present in the Court while petitioner nos. 3 and 4 and respondent nos. 2 are present through VC, all of them duly identified by the IO and counsel.
3. As per the settlement, the parties have agreed to settle all the cases between them, subject to amount of Rs.40 lakhs being paid to respondent no.2 towards alimony, maintenance, etc., in terms of the agreement. The said amount has been duly paid to respondent no.2, as confirmed by respondent no.2, who appears through VC and is duly identified by the IO.
4. Respondent no.2, however, states that petitioners have been harassing



her and her family members despite the settlement, by repeatedly appearing at their residence.

5. While this is refuted by counsel for petitioners, petitioners undertake not to indulge in any such activity that would amount to nuisance or harassment to respondent no.2 or her family in any manner.

6. The marriage of petitioner no.1 and respondent no. 2 has culminated in a divorce by decree dated 8th February 2024. Two children were born out of this wedlock.

7. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.395/2018 registered with PS Ashok Vihar, Delhi, under Sections 498-A/406/34 IPC and proceedings emanating therefrom are quashed.

8. Parties shall duly comply with all terms of settlement and shall abide by the same. Petitioners shall also ensure compliance with their undertaking as noted above.

9. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.

10. It is, however, made clear that the said settlement will not affect the rights of the minor children in future.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 7, 2024/sm