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

+ **CRL.M.C. 7540/2024 & CRL.M.A. 28787/2024**

BODH RAJ

.....Petitioner

Through: Mr. Aman Jain, Mr. Shiv
Kumar & Mr. Siddharth S.
Negi, Advocates
alongwith Petitioner-in-
Person.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Raj Kumar, APP for
the State.
SI Navneet Teotia (P.S.
Sarita Vihar).
Respondent No.2-in-
Person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

23.09.2024

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1. The present petition is filed seeking quashing of FIR 138/2024 dated 15.04.2024, registered at police station Sarita Vihar, for offences under Sections 323/341/506 of the Indian Penal Code, 1860 ('IPC'). The FIR was registered on a complaint given by Respondent No. 2.

2. It is averred that the marriage between the petitioner and Respondent No.2 was solemnized on 25.04.1993 as per Hindu customs, rites and ceremonies. Two children were born out of the said wedlock.

3. It is alleged that on the date of the incident, a quarrel took place between the parties over the alleged extra-marital affair of

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the petitioner. It is alleged that the same led to an altercation where the petitioner gave beatings to Respondent No.2. It is alleged that Respondent No.2 sustained injuries on her head. The incident led to the registration of the present FIR.

4. The learned counsel for the petitioner submits that the altercation took place due to the matrimonial dispute between the parties.

5. He submits that the parties have since amicably resolved their dispute and the petitioner has tendered an unconditional apology for his behaviour. He submits that the petitioner undertakes to not indulge in any such activities in the future.

6. The present petition has been filed on the ground that the parties have amicably settled all their disputes by way of Memorandum of Understanding dated 04.08.2024, on their own free will, without any fear or pressure or coercion.

7. The parties are present in person in Court and have been duly identified by the Investigating Officer.

8. Respondent No.2, on being asked, states that he does not wish to pursue the proceedings out of the present FIR and she has no objection if the same is quashed. She submits that she has no remaining grievance against the petitioner.

9. Offences under Sections 323/341/506 of the IPC are compoundable in nature.

10. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offence.

11. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the



process of Court.

12. In view of the above, FIR No. 138/2024 and all consequential proceedings arising therefrom are quashed.

13. It is made clear that this Court has not gone into the legality of the Memorandum of Understanding.

14. The petition is allowed in aforesaid terms.

AMIT MAHAJAN, J

SEPTEMBER 23, 2024

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