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

+ CRL.M.C. 7548/2024

DINESH & ORS.

.....Petitioners

Through: Mr. Rakesh Kumar, Advocate with
petitioners in court.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Nagendra Singh, P.S.: M. S.
Park.

R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

05.12.2024

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By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 282/2017 dated 05.09.2017 registered under sections 498-A/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Mahendra Park, Delhi.

2. The petition is premised on Mediated Settlement dated 26.07.2023 arrived at under the aegis of the Delhi Mediation Centre, Rohini District Courts, Delhi, whereby respondent No.2 has agreed to the quashing of the subject FIR.
3. The court has queried respondent No.2 closely. She states that she lives with her 03 sons, aged about 17 years, 19 years and 22 years alongwith her maternal family; and that she does not wish to take divorce from petitioner No.1.



4. The parties state that they have been living apart since sometime in 2016 and are reconciled to that position.
5. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
6. The petitioners as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer.
7. Mr. Hitesh Vali, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. 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.
9. Accordingly, FIR No. 282/2017 dated 05.09.2017 registered under sections 498-A/34 IPC at P.S.: Mahendra Park, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 5, 2024/ds