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

+ **CRL.M.C. 7884/2024**

NARESH MISHRA

.....Petitioner

Through: Mr. Zeeshan Diwan, DHCLSC
(Advocate) with Mr. Ahmed Faraz,
Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Satender, P.S.: Prem
Nagar.
Ms. Tanya Agarwal and Mr. Gaurav
Kalra, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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07.10.2024

CRL.M.A. 30074/2024(exemption)

CRL.M.A. 30075/2024 (exemption)

Exemptions granted, subject to just exceptions.

The applications stand disposed-of.

CRL.M.C. 7884/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 293/2022 dated 04.04.2022 registered under sections 377/325/506 of the Indian Penal Code, 1860 ('IPC') at P.S.: Prem Nagar, Delhi.



2. The petition is premised on Reconciliation Agreement dated 28.01.2023 signed between the parties and Affidavit dated 21.09.2024 filed by respondent No. 2, affirming that the matter has been settled between the parties.
3. The petition is supported by affidavit of the petitioner alongwith proof of his IDs.
4. The petitioner as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. Respondent No. 2 states that she has been co-habiting with the petitioner for the last 02 years; and they now have 02 minor children, who are also living with them. She submits however, that sometimes the petitioner does not comply with his obligation to give her money in the sum of Rs. 2,000/- towards her personal expenses, which he should be asked to pay. The petitioner has confirmed that he would honour his commitment as contained in the Reconciliation Agreement dated 28.01.2023.
6. Mr. Sanjeev Sabharwal, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. 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.

8. Accordingly, FIR No. 293/2022 dated 04.04.2022 registered under sections 377/325/506 of IPC at P.S.: Prem Nagar, Delhi is quashed. All proceedings arising therefrom also stand closed.
9. Petition stands disposed-of.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 7, 2024/ak