



\$~78

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

+ CRL.M.C. 8090/2024 CRL.M.A. 30948/2024

AKASH & ORS.

.....Petitioners

Through: Mr. Chander Nigam, Adv.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Sunil, PS Tilak Nagar.
Ms. Shakshi Gupta, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

15.10.2024

%

1. This petition has been filed seeking quashing of FIR No.106/2022 PS Tilak Nagar under Sections 498-A/406/34 IPC basis settlement arrived at between the parties on 18th July, 2022, which is on record of this Court.
2. Petitioner Nos.1-4 and respondent No.2/complainant are present in Court and duly identified by the IO.
3. As per the settlement, the final outstanding balance of Rs.1 Lac has been tendered *vide* DD No.306813 drawn on Union Bank of India, received by respondent No.2 in Court.
4. Respondent No.2 states that she has no objection to the quashing of the said FIR.
5. The marriage of petitioner No.1 and respondent No.2 has resulted in a divorce by decree dated 06th May, 2023. One male child was born out of



wedlock.

6. 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.106/2022 PS Tilak Nagar under Sections 498-A/406/34 IPC and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

9. It is however made clear that the said settlement will not affect the rights of the minor child in future.

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

ANISH DAYAL, J

OCTOBER 15, 2024/MK