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

+ **CRL.M.C. 8346/2024**

HEMRAJ AND ORS

.....Petitioners

Through: Mr. P. Pankaj, Adv.

versus

STATE OF GNCTD OF DELHI AND ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP

SI Shubhanshu, PS Kalyanpuri

Mr. Pradeep Kumar, Mr. Nirmal

Singh, Mr. Shailender Kumar, Mr.

Deepanshu Gautam and Advs. for

Complainant

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

22.11.2024

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1. This is a petition filed under section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') read with Section 482 of Cr.PC seeking quashing of FIR No. 152/2017, under Section 498A/406/34 of IPC, registered at Police Station Kalyanpuri and proceedings emanating therefrom.

2. It is stated that the parties have arrived at a settlement dated 18.07.2024 before the Family Court, South District, Saket, wherein Rs. 5,10,000/- was agreed to be paid as full and final settlement out of which Rs. 4,10,000/- has already been paid and Rs. 1 lakh is paid today via Demand Draft.

3. It is stated that the parties are already divorced by mutual consent and there is one child born out of the wedlock who is in care in custody of respondent No. 2.



4. Mr. Hemraj is present in Court and is identified by Mr. P. Pankaj, Advocate and Ms. Archana is also present and is identified by Nirmal Singh, Advocate and IO SI Subhanshu, Police Station Kalyanpuri.
5. Both the parties state that they have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion.
6. I am satisfied that the matter has been settled and the settlement is lawful. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of the present FIR and the consequential proceedings emanating therefrom would bring peace and secure ends of justice.
7. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.
8. As per the judgment of the Hon'ble Supreme Court in '*Ganesh vs. Sudhirkumar Srivastava*' [(2020) 20 SCC 787], the settlement and this order shall not affect the rights of the minor child in claiming the rights of maintenance, inheritance, education, marriage etc. against either of the parties.
9. With these observations, the present petition is disposed of.

JASMEET SINGH, J

NOVEMBER 22, 2024/sp

[Click here to check corrigendum, if any](#)