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

+ **CRL.M.C. 8678/2024**

**DIWAKAR MAURYA AND ANR** .....Petitioners

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

versus

**STATE NCT OF DELHI AND ANR** .....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the  
State with Ms. Sanya Narula,  
Advocate.  
SI Ajay Kumar, P.S.: Aman Vihar.  
R2 in court.

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

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**06.11.2024**

**CRL.M.A. 33163/2024**

Exemption granted, subject to just exceptions.

The application stands disposed-of.

**CRL. M.C. 8678/2024**

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners seek quashing of case FIR No. 1470/2014 dated 21.12.2014 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Aman Vihar, Delhi. Consequent upon completion of investigation, the offence under section 354 IPC has also been added *vide* chargesheet dated 23.11.2017.

2. The petition is premised on Compromise/Settlement Deed dated 01.10.2024.



3. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
4. 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.
5. The parties have confirmed that no child was born from the wed-lock.
6. Respondent No. 2 has also been informed that she is entitled to the services of a legal-aid counsel, in case she wishes to take independent legal advice; to which she has said a firm 'no'.
7. In view of the fact that the parties have not taken divorce, the court has queried respondent No.2 very closely and explained to her the consequences of closure of the proceedings in the subject FIR. Respondent No.2 has categorically stated that she wants the subject FIR to be quashed. Furthermore, both parties state that insofar as their marital status is concerned, they wish to keep that aspect open at least at this stage.
8. The court has queried respondent No. 2, who confirms that a settlement deed has been entered into between the parties; and that as part of the settlement she was to receive a sum of Rs.7,00,000/- from petitioner No.1; which has been paid, in compliance of the terms of the settlement deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
9. Mr. Sanjeev Sabharwal, learned APP confirms that the State has no objection to the subject FIR being quashed.
10. 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.

11. Accordingly, FIR No. 1470/2014 dated 21.12.2014 registered under sections 498-A/406/34 IPC at P.S.: Aman Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

**ANUP JAIRAM BHAMBHANI, J**

**NOVEMBER 6, 2024**

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