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

+ **W.P.(CRL) 3573/2024**

KAPIL KUMAR YADAV AND ANR

.....Petitioner

Through: Mr. Ajay Kumar Yadav, Adv.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Amol Sinha, ASC (Criminal)
with Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Ms. Chavi Lazarus, Advs.
SI Ashutosh Mishra, ASI Sarbjeet,
PS Mehrauli, Delhi
Mr. Puneet Bhati, Mr. Mandeep
Singh, Advs. for R2

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **14.11.2024**

CRL.M.A. 34175/2024-EX

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 3573/2024

3. This is a petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nyaya Suraksha Sanhita, 2023 ('BNSS') seeking quashing of F.I.R No. 329/2022, dated 31.05.2022 registered at P.S. Mehrauli under section 498A/406/34 IPC, 1860 and consequential proceedings emanating therefrom.
4. The facts are that the petitioner got married to respondent no.2 on 28.04.2017 as per the customary rites. Thereafter some temperamental differences arose between the petitioner and respondent no. 2 and the FIR no. 329/2022 came to be registered.



5. Issue notice.
6. Mr. Sinha, learned ASC accepts notice on behalf of the State and Mr. Bhati, learned counsel accepts notice on behalf of respondent no.2.
7. The parties have arrived at a settlement on 23.09.2023 wherein Rs. 11.5 lakhs was to be paid in total, out of which Rs. 7 lakhs have already been paid and a balance of Rs. 4.5 lakhs is being paid today *vide* a Demand Draft bearing No. 572646 dated 27.09.2024, drawn on Kotak Mahindra Bank, Rohini - Sector 18, Delhi.
8. Parties are already divorced by mutual consent and there is no child born out of the wedlock.
9. The petitioner namely, Mr. Kapil Kumar Yadav is present and is identified by his counsel Mr. Ajay Kumar Yadav, Advocate and respondent no. 2 namely, Ms. Manisha Yadav is present and is identified by her counsel Mr. Puneet Bhati, Advocate and the Investigating Officer SI Ashutosh Mishra, PS Mehrauli.
10. 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.
11. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure the ends of justice. This court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.
12. For the reasons stated above, F.I.R No. 329/2022, dated 31.05.2022 registered at P.S. Mehrauli under section 498A/406/34 IPC, 1860 and



consequential proceedings emanating therefrom, if any are quashed.

13. The petition is disposed of accordingly.

JASMEET SINGH, J

NOVEMBER 14, 2024/sp

Click here to check corrigendum, if any