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

+ **CRL.M.C. 8968/2024**

**MR. ASHOK KUMAR & ORS.**

.....Petitioners

Through: Mr. M. Hasibuddin, Adv. with  
petitioners.

versus

**THE STATE (GOVT. OF NCT OF DELHI) & ANR.**

.....Respondents

Through: Ms. Kiran Bairwa, APP for State and  
W/SI Sonia, PS Bharat Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**18.11.2024**

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**CRL.M.A. 34340/2024**

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

**CRL.M.C. 8968/2024**

3. The Present petition has been filed under section 528 BNSS for quashing of FIR No. 249/2019 dated 23.05.2019 registered under Section 498A/406/323/506/509/34 IPC at PS Bharat Nagar and all the other proceedings emanating therefrom.
4. Learned Counsel for the petitioner submits that Respondent no.2/complainant married petitioner no.1 on 30.01.2015 in accordance with the Hindu Rites and Ceremonies and one girl child namely Khushi (DOB: 13.06.2017) was born out of the said wedlock. However, on



account of temperamental differences and mental incompatibility, the parties started living separately and instituted multiple litigations against each other and their respective families including the present FIR.

5. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably, and started living together for the last one year.
6. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably and are happily residing together, therefore, it would be in the interest of justice to quash FIR No. 249/2019 dated 23.05.2019 registered under Section 498A/406/323/506/509/34 IPC at PS Bharat Nagar and all the other proceedings emanating therefrom.
7. A joint statement of the parties has been recorded separately where respondent No.2 states that she is residing with the petitioner No.1 and she has settled the dispute with the petitioners voluntarily without any fear, force and coercion.
8. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon: **B.S. Joshi v. State of Haryana**, (2003) 4 SCC 675; **K. Srinivas Rao v.**



***D.A.Deepa***, (2013) 5SCC 226; ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***, 2019 SCC OnLine Del 8179.

9. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 submits that she has entered the settlement voluntarily without any fear, force, or coercion. She submits that other petitions have already been withdrawn or dismissed. She has no objection if FIR No. 249/2019 dated 23.05.2019 registered under Section 498A/406/323/506/509/34 IPC at PS Bharat Nagar and all the other proceedings emanating therefrom are quashed.
10. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.
11. In view of the above, FIR No. 249/2019 dated 23.05.2019 registered under Section 498A/406/323/506/509/34 IPC at PS Bharat Nagar and all the other proceedings emanating therefrom are quashed.
12. The present petition along with all the pending application(s), if any, stand disposed of.

**DINESH KUMAR SHARMA, J**

**NOVEMBER 18, 2024/AR/NA..**