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

+ **CRL.M.C. 9130/2024**

NARESH KUMAR

.....Petitioner

Through: Mr. Nadeem Qureshi, Ms. Renu
Choudhary, Ms. Puvali Singh, Mr.
Avdesh Kumar, Advs.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Ms.Priyanka Dalal, APP
ASI Asha Rani, PS Krishna Nagar
Mr. Rahul Tomar, Mr. Alok for R2
alongwith R2 Ms. Priyanka

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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22.11.2024

CRL.M.A. 34986/2024

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

CRL.M.A. 34988/2024

3. This is an application seeking condonation of 70 days delay in re-filing the petition.
4. In view of the submissions made by the learned counsel and for the reasons stated in the application, the delay of 70 days in re-filing the petition is condoned.
5. The application is disposed of.

CRL.M.C. 9130/2024

6. This is a petition under Section 528 of BNSS seeking quashing of FIR No. 174/2017, under Sections 498-A/406/34 of IPC, registered at Police



Station – Krishna Nagar and subsequent proceedings emanating therefrom.

7. It is stated that the parties have arrived at a settlement before the Counselling Center, Family Court, East District, Karkardooma Courts, Delhi dated 17.12.2019 pursuant to which the petitioner had to pay a total amount of Rs. 10,50,000/- to respondent No. 2, out of which Rs. 3,50,000/- had to be paid during quashing.

8. Petitioner is present in Court and has been identified by his counsel, Mr. Nadeem Qureshi.

9. Respondent No. 2 is also present in Court and has been identified by her counsel, Mr. Rahul Tomar as well as by the Investigating Officer, ASI Asha Rani, Police Station - Krishna Nagar.

10. Respondent No. 2 states that she has received the entire settlement amount of Rs. 10,50,000/- out of which Rs. 3,50,000/- is paid today *vide* Demand Draft No. 500870 dated 29.08.2024 drawn on ICICI Bank, New Delhi.

11. It is stated that respondent No. 3 is a proclaimed offender and is not traceable.

12. Both 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. It is stated by respondent No. 2 that she has no objection if the FIR is quashed against the petitioner only. There is no child born out of the wedlock.

13. 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 ends of justice. The Court does not see any fruitful purpose if criminal proceedings are permitted



to be prosecuted any further. It is a fit case for quashing.

14. In this view of the matter, FIR No. 174/2017, under Sections 498-A/406/34 of IPC, registered at Police Station – Krishna Nagar and subsequent proceedings emanating therefrom are hereby quashed against the petitioner only.

15. The petition is disposed of accordingly.

JASMEET SINGH, J

NOVEMBER 22, 2024/sp

Click here to check corrigendum, if any