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

+ **CRL.M.C. 9282/2024 & CrI.M.A.35589/2024**

KULDEEP @KULDEEP SINGH

.....Petitioner

Through: Mr. Nitin Chaudhary, Mr. Ravi
Sharma & Mr. Deen Dayal,
Advocates.

versus

STATE GNCT OF DELHI THRU SHO & ANR.Respondents

Through: Mr. Raghuinder Verma, APP for the
State with SI Kriti Singh
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

28.11.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") (earlier under Section 482 of the Code of Criminal Procedure, 1973) has been filed by the petitioner praying for quashing of FIR bearing No. 633/2007 registered at Police Station Welcome, for offences punishable under Sections 342/354/506/451 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The petitioner is present before this Court and has been identified by his counsel Mr. Nitin Chaudhary, Advocate and the Investigating Officer SI Kriti Singh. The respondent No.2/complainant is also present in the Court and has been identified by the Investigating Officer.
3. On the query made by this Court, respondent no.2/complainant has



categorically stated that she has entered into compromise on her own free will and without any pressure. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that the petitioner and the respondent no. 2 got married on 16th August, 2010, as per Hindu rites. One child was born out of the wedlock. However, due to temperamental differences, they started residing separately since 29th June, 2019. The parties filed a petition for dissolution of marriage under Section 13B (2) of the Hindu Marriage Act, 1955 (hereinafter “HMA”), which was granted on 20th May, 2024, by a decree of divorce by the learned Family Court, Tiz Hazari Courts, Delhi.

5. The petitioner and respondent No.2 entered into settlement on 6th December, 2023 before the Delhi Mediation Centre, Kakardooma Courts, Delhi. The terms and conditions of the settlement are mentioned in the settlement agreement which is annexed as Annexure P-5 to the petition. As per the Settlement Agreement, Rs.1,50,000/- has already been received by respondent No.2. Payment of Rs.50,000/- has been made today in the Court.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise between the parties. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. *Per contra*, Mr. Raghuinder Verma, learned APP for the State submitted that there is no opposition to quash the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner, no useful purpose would be served by



keeping the matter pending. Hence, FIR bearing No. 633/2007 registered at Police Station Welcome, for offences punishable under Sections 342/354/506/451 of the Indian Penal Code, 1860 IPC and consequent proceedings emanating therefrom are quashed. It is clarified that the child upon attaining the age of majority shall be entitled to claim share in the father's property in accordance with law.

10. The petition stands disposed of.

CHANDRA DHARI SINGH, J

NOVEMBER 28, 2024

NA/st

Click here to check corrigendum, if any