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

+ **CRL.M.C. 9326/2024**

RAJENDER KUMAR @ TONY & ANR.Petitioners

Through: **Mr. Harshit Shishodia, Adv.**

versus

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

Through: **Ms. Kiran Bairwa, APP for the State
with ASI Kanwal Kaur, PS Jagatpuri.
Respondent No.-2 in person.**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

28.11.2024

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CRL.M.A. 35732/2024

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 9326/2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 592/2023 registered at PS Jagat Puri under Sections 354/354A/509 IPC and all proceedings arising out of the said FIR on the basis of settlement.
2. Learned counsel for the petitioner submitted that during the pendency of the aforesaid case, Petitioner No. 1 & 2 had resolved all their disputes with Respondent No. 2. As per their oral settlement, Petitioner No. 1 is living separately, and Petitioner No. 2 & Respondent No. 2 have reconciled and are living together as husband



& wife since 25.03.2024.

3. Both parties are present in court and have duly been identified by the IO. Respondent No.2 submits that she has resolved her disputes with petitioners voluntarily without any force, fear or coercion and a statement has been separately signed by respondent No.2 before this Court stating that she has entered into the settlement voluntarily has no objection if the FIR No. 592/2023 registered at PS Jagat Puri under Sections 354/354A/509 of IPC and all proceedings emanation therefrom are quashed.
4. 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***.
5. 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.



6. In view of the above, FIR No. 592/2023 registered at PS Jagat Puri under Sections 354/354A/509 of IPC and all the other proceedings emanating therefrom are quashed.
7. The present petition along with all the pending applications stand disposed of.

NOVEMBER 28, 2024

Pallavi/HT

DINESH KUMAR SHARMA, J