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

+ **CRL.M.C. 9530/2024**

AMARPREET SINGH & ORS.

.....Petitioners

Through: Mr. Nikhil Rastogi, Mr. Vinod Kumar Mangal, Mr. Kunal Srivastava and Mr. Lalit, Advs. along with petitioner nos. 1 and 2 in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Nawal Kishore Jha, APP for the State with SI Rajesh Kumar PS Vijay Vihar
Mr. Parvinder Singh and Mr. Gurjinder Singh, Advs. for R-2 with respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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05.12.2024

CRL.M.A. 36590/2024 (exemption)

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

CRL.M.C. 9530/2024

3. The present petition has been filed under Section 528 of the BNSS, 2023 seeking quashing of FIR No.86/2021 under Sections 498A/406/506/34 IPC registered at Police Station Vijay Vihar and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.



4. Issue notice. The learned APP for the State accepts notice. He submits that since the present FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
5. The petitioner no.1, petitioner no.2 and petitioner no.3 are husband, brother-in-law and mother-in-law of the respondent no.2 (the complainant herein). The parties are present in the Court and they have been identified by their respective counsel and by the Investigating Officer Rajesh Kumar PS Vijay Vihar.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 14.02.2016 according to Hindu rites and ceremonies. Out of the said wedlock, one girl child, namely, Baby Harsimar Kaur was born on 12.11.2016.
7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 02.10.2020. The disputes between the parties also led to the registration of the FIR in question.
8. During the pendency of the proceedings, the parties have arrived at a settlement, in terms of which the respondent no.2 has started living in the matrimonial home alongwith petitioner no.1.
9. The respondent no.2/complainant is present in Court. On a query put by the Court, the respondent no.2 affirms the fact that the parties are living together as husband and wife and states that she has no objection in case the FIR is quashed.
10. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.



11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.86/2021 under Sections 498A/406/506/34 IPC registered at Police Station Vijay Vihar alongwith all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

DECEMBER 5, 2024
N.S. ASWAL