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

+ **CRL.M.C. 9548/2024 & CRL.M.A. 36667/2024**

SUNIL & ORS.

.....Petitioner

Through: Mr. V.S. Tiwari and Mr. Himanshu
Sharma, Advs. along with petitioner
no.1.

versus

**THE STATE(NCT OF DELHI) THROUGH
SHO OF PS MANDIR MARG & ANR.**

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Kevendra Singh and SI
Madhu, PS, Mandir Marg
Ms. Krishpreet Kaur, Adv. for R-2
along with respondent no.2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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05.12.2024

CRL.M.A. 36667/2024 (exemption)

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

CRL.M.C. 9548/2024

3. The present petition has been filed under Section 528 BNSS 2023, seeking quashing of FIR No.8/2023 under Section 498A/406/506/509/34 IPC registered by PS Mandir Marg, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement and now they are residing together.



4. Issue notice. Mr. Nawal Kishore Jha, the learned APP for the State accepts notice. He submits that since the 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 (husband), as well as, respondent no. 2 (wife) are present in the Court and they have been identified by learned counsel for the petitioner and by the Investigating Officers SI Kevendra Singh and SI Madhu, PS, Mandir Marg.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 08.02.2019 according to Hindu Rites and Ceremonies. Out of the said wedlock, one male child was born.
7. On account of temperamental differences, the petitioner no.1 and respondent no.2 started living separately. The dispute between the parties also led to the registration of present FIR.
8. During the pendency of the proceedings, the parties have arrived at a settlement and have started living together.
9. The respondent no.2, on a query posed by the Court, 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.8/2023 under



Section 498A/406/506/509/34 IPC registered by PS Mandir Marg, New Delhi and all consequential 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

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