



\$~47

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 9935/2024

KULDEEP & ORS.

.....Petitioners

Through: Mr. Rizwan Khan, Mr. Sanjay Vimal,
Mr. Kuldeep Gupta, Mr. Mohd.
Azeem and Mr. Navy Charlie,
Advocates with petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Surekha.
Ms. Manisha Rawat, Advocate for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

18.12.2024

%

1. The present petition has been filed under Section 528 of BNSS 2023 seeking quashing of FIR No. 464/2019 under Sections 498-A/377/406/34 IPC Registered at Police Station Saket, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. Notice is accepted by learned APP appearing on behalf of the State. 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.
3. Petitioner no.1 (husband) as well as the respondent no.2 (wife) are present in the Court and they have been identified by their counsels as well



as by the Investigating Officer SI Surekha, Police Station Saket.

4. The brief facts of the case are that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 24.04.2014, according to Hindu Rites and Customs.

5. On account of some temperamental differences, certain disputes arose between the parties and they started living separately. The dispute between the parties also led to the registration of the aforesaid FIR.

6. During the pendency of the proceedings, the parties were referred to the Counselling Cell attached to the court of Sh. Paramjit Singh, learned Principal Judge,, Family Court South, Saket, New Delhi where the parties have arrived at a settlement, terms whereof have been reduced in writing in the form of a Settlement Agreement dated 29.05.2023, which is annexed as Annexure P-2 to the present petition.

7. A perusal of the said agreement dated 29.05.2023 (Annexure P-2) shows that the petitioner no.1 and the respondent no.2 both mutually agreed to live living together as dutiful husband and wife and carry out their marital duties and responsibilities. The petitioner no.1 and the respondent no.2, who are present in the court affirm that now they are residing together happily as husband and wife.

8. Considering the fact that the parties have arrived at a settlement and have started staying together, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

9. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

10. Consequently, the petition is allowed and the FIR No. 464/2019 under



Sections 498-A/377/406/34 IPC Registered at Police Station Saket, New Delhi, is quashed along with all other consequential proceedings emanating therefrom.

11. The petition stands disposed of.

VIKAS MAHAJAN, J

DECEMBER 18, 2024

‘rs’