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

+ **CRL.M.C. 10035/2024**

NARENDER KUMAR @ BABLUPetitioner

Through: Mr. Abhishek Kaushik, Advocate.
Petitioner in-person.

versus

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

Through: Mr. Sanjeev Sabharwal, APP for the
State.

SI Asmita and ASI Sushma, P.S.:
Najaf Garh.

R-2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

20.12.2024

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By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 313/2016 dated 22.07.2016 registered under sections 406/498-A/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Najaf Garh, Delhi.

2. The petition is premised on Settlement Agreement dated 04.05.2017 arrived at through counselling before the Counselling Cell, Family Court, Dwarka, New Delhi.
3. The petition is supported by affidavits of the petitioner, as also of respondent No. 2, alongwith proof of their IDs.
4. The petitioner as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by their respective counsel.



5. The court has interacted with respondent No.2. She states that she has resolved her disputes with the petitioner and they have been co-habiting since 04.05.2017 alongwith their two children.
6. Mr. Sanjeev Sabharwal, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab &Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
8. Despite the evident delay in the filing of the present petition when admittedly the contesting parties had resumed co-habitation more than 07 years ago, in view of the circumstances explained, FIR No.313/2016 dated 22.07.2016 registered under sections 406/498A/34 IPC at P.S.: Najaf Garh, Delhi is quashed. All proceedings arising therefrom also stand closed.
9. Petition stands disposed-of.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 20, 2024/ak