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

+ **CRL.M.C. 10168/2024 and Crl.M.A. 39007/2024**

ANKIT TANWAR & ORS.

.....Petitioners

Through: Ms. Ikat Anand and Mr. Harmanpreet
Singh Kohli, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Priyanka Saini, P.S.
Najafgarh.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

23.12.2024

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1. This is a petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No. 141/2022 dated 11.03.2022 registered under Section 498A/34 IPC at Police Station Najafgarh, Delhi. Chargesheet has been filed u/s 498A/406/34 IPC.
2. Learned Counsel for the petitioner submits that Respondent no.2/complainant married petitioner no.1 on 22.01.2018 in accordance with Hindu rites and customs and one child was born out of the said wedlock. However, on account of temperamental differences and mental incompatibility, the parties started living separately.
3. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably in terms of the Settlement Agreement dated 01.06.2024. Furthermore, the Learned



Counsel for the petitioners submits that pursuant to the settlement, it is the marriage has already been dissolved. It has been submitted that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No. 141/2022 dated 11.03.2022 registered under Section 498A/406/34 IPC at Police Station Najafgarh, Delhi, and all the other proceedings emanating therefrom.

4. I have gone through the settlement agreement placed on record which provides for the following terms and conditions:-
5. 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.
6. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 submits that she has entered the settlement voluntarily without any fear, force, or coercion. She submits that other petitions have already been withdrawn or dismissed. And since the marriage between the parties has also been dissolved, she has no objection if FIR No. 141/2022 dated 11.03.2022 registered under Section 498A/406/34 IPC at Police Station Najafgarh and all the other proceedings emanating



therefrom are quashed.

7. 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.
8. In view of the above, FIR No. 141/2022 dated 11.03.2022 registered under Section 498A/406/34 IPC at Police Station Najafgarh and all the other proceedings emanating therefrom are quashed. However, this shall not bind the legal rights, title, and interest of the child master Purvik, in any manner. Child master Purvik, shall be at liberty to pursue his legal rights in accordance with law.
9. The present petition along with all the pending applications, stand disposed of.

DINESH KUMAR SHARMA, J

DECEMBER 23, 2024

AK/smg