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

+ **W.P.(CRL) 751/2024**

RAHUL PAUL & ORS.

.....Petitioners

Through: Ms. Shefali Menezes, Advocate with
P-1, P-2 and P-3 in person

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma and Mr.
Amit Sahni, Advocates.
SI Manoj Kumar, P.S. Paschim Vihar
West
Mr. Prabodh Shukla and Mr. Chetan
Singh, Advocates for R-2 with R-2 in
person
R-2 in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **22.01.2025**

CRL.M.A. 1908/2025 (Application on behalf of the Petitioner No. 1 u/s 482 of the CRPC (section 528 of BNSS 2023) seeking to place on record the Memorandum of Understanding dated 07.01.2025 entered into between the Petitioner No. 1 and Respondent No. 2, along with the affidavit of no objection of the Respondent No. 2)

1. This is an application filed by the Petitioner No.1 under Section 528 of Bhartiya Nagarik Suraksha Sanhiyta, 2023 (BNSS) seeking leave of this Court for placing on record the Memorandum of Understanding (MoU) dated 07.01.2025 entered into between Petitioner No. 1 and Respondent No.



2 to amicably resolve all litigation pending between the parties pertaining to their matrimonial relationship.

2. The application is allowed in terms of the averments made in the application.

3. The MoU is taken on record and the affidavit of Respondent No. 2 giving no objection to the main prayer in the underlying writ petition inter-alia seeking quashing of the FIR No. 1046/2023 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (IPC) at Police Station (PS) Paschim Vihar is also taken on record.

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4. The petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 1046/2023 dated 11.07.2023 registered at Police Station Paschim Vihar West, Outer District, Delhi for offences under Sections 498A/406/34 of the IPC in terms of the MoU dated 07.01.2025.

5. With the consent of the parties, the main writ petition has been taken up for hearing. The Petitioner Nos. 1, 2 and 3 are present in Court and are identified by the counsel and the Investigating Officer (IO).

6. Respondent No. 2 is also present in Court and is identified by the counsel and the IO.

7. This Court has interacted with Respondent No. 2 and she confirms that the parties have in accordance with the MoU dated 07.01.2025 resumed cohabitation and have resolved to withdraw all proceedings pending against each other. She states that she also joins the request for the quashing of the captioned FIR.

8. Learned counsel for the Petitioner states that the Guardianship



Petition i.e., GP No. 06/2023 is listed on 11.02.2025 and the HMA Petition i.e., HMA No. 207/2023 is listed on 18.02.2025. He states that the Petitioner No. 1 undertakes to withdraw the HMA petition.

9. Learned counsel for Respondent No. 2 states that the Guardianship Petition will be withdrawn by Respondent No. 2 in terms of the settlement recorded in MoU dated 07.01.2025.

10. Considering the above settlement between the parties and the chances of conviction of the Petitioner being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be misuse of the process of the Court and an unnecessary burden on the State exchequer.

11. Accordingly, the petition is allowed. Consequently, the FIR No. 1046/2023 dated 11.07.2023 registered at Police Station Paschim Vihar West, Outer District, Delhi for offences under Sections 498A/406/34 of the IPC and proceedings emanating therefrom are quashed.

12. Parties shall abide and are bound by the terms of settlement recorded in the MoU dated 07.01.2025.

13. Pending application is disposed of as infructuous.

14. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JANUARY 22, 2025/msh/sk

[Click here to check corrigendum, if any](#)