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

+ **CRL.M.C. 1617/2025**

RAJENDER KUMAR AND ANOTHER

.....Petitioner

Through: Mr. Rahul Tandon, Advocate for
the petitioners with petitioner nos.1
& 2 through Video Conferencing

versus

THE STATE AND ANOTHER

.....Respondent

Through: Mr. Satish Kumar, APP for the
State with SI Vikas, PS. Khyala
Mr. Pankaj Chauhan, Advocate for
R-2 with R-2 through Video
Conferencing

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

21.03.2025

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CRL.M.A. 7307/2025-Exp

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

CRL.M.C. 1617/2025

3. The petitioners vide the present petition under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) earlier as Section 482 Code of Criminal Procedure, 1973 (Cr.P.C.), seek quashing of FIR No.785/2022 dated 16.11.2022 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 at P.S. Khyala, Delhi and all proceedings



emanating there from on the ground that the parties have settled their disputes in view of the Settlement dated 21.12.2024 entered between the petitioner no.1 and the respondent no.2 and, who are now living together at their matrimonial home.

4. The present petition is accompanied by the said Settlement dated 21.12.2024 [Annexure-P3] and is also supported by their identity cards.

5. Additionally, both petitioner no.1 and respondent no.2, present in Court through Video Conferencing, have been identified by the Investigating Officer. Moreover, the credentials of both, petitioner no.1 as also respondent no.2, as on record, have also been duly verified by the this Court as well as the Investigating Officer.

6. Issue notice.

7. Learned APP for the State submits that he has no objection to the quashing of the aforesaid FIR.

8. Learned counsel for the respondent no.2 also accepts notice. The respondent no.2 affirms the Settlement dated 21.12.2024 and submits that she has voluntarily, without any pressure and/ or coercion of any kind, settled all her disputes with the petitioner as also she does not wish to pursue the criminal proceedings against the petitioner, she is living with the petitioner no.1 at her matrimonial home.

9. As per the Settlement the petitioner no.1 shall pay a sum of Rs.3,000/- (Rupees Three Thousand Only) per month to the respondent no.2 as a pocket money whilst they reside together as husband and wife alongwith all the household, medical and other ancillary expenses of the wife. Respondent no.2 further states that she does not wish to pursue with the criminal proceedings against the petitioner no.1 any further since, she



has no grievances left against him, and has already withdrawn all other pending litigations against the petitioner no.1.

10. Since all disputes between the petitioner no.1 and the respondent no.2 have already been reconciled and they are residing together, for maintenance of peace and harmony between them and, following the law laid down by the Supreme Courts in *Jitendra Raghuvanshi & Ors. Vs. Babita Raguvanshi & Anr.* (2013) 4 SCC 58, *Gian Singh vs. State of Punjab & Anr.* (2012) 10 SCC 303, this Court is of the opinion that there will be no purpose in continuing with the aforesaid FIR.

11. Accordingly, the said petition is allowed and FIR No.785/2022 dated 16.11.2022 registered under Sections 498A/406/34 of the IPC at P.S. Khyala, Delhi and all proceedings emanating therefrom are quashed.

12. Accordingly, in view of the above terms, the petition stands disposed.

SAURABH BANERJEE, J

MARCH 21, 2025/akr