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

+ **W.P.(CRL) 1834/2024**

ANUJ YADAV ORS & ORS.

.....Petitioner

Through: Mr. S. P. Paul, Advocate with
petitioner in person

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya, Mr. Aryan Sachdeva
Advocates.

SI Mamta, P.S.: Dwarka Sector 23.

Mr. Shrey Kumar, Advocate for R2
with R2 (through VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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22.01.2025

1. The present petition has been filed on behalf of the Petitioners under Article 226 of the Constitution of India seeking quashing of FIR No. 0088/2023 dated 05.04.2023 registered at P.S. Sector-23, Dwarka for offences under Sections 498A/406/34 of the Indian Penal Code, 1860 (IPC) on basis of the settlement agreement dated 22.11.2023 (Settlement Agreement) which is on record of this Court.

2. The Petitioner Nos. 1, 2 and 3 have joined the proceedings through video conferencing link and are identified by the Investigation Officer (I.O.) as well as by the counsel for the Petitioners. They state that parties have settled their disputes as recorded in the Settlement Agreement.



3. Respondent No. 2 has joined the proceedings through video conferencing link and she has been identified by her counsel as well as the I.O. Respondent No. 2 states that she does not wish to pursue the proceedings arising out of the present FIR and has no objection to the said FIR being quashed. An affidavit giving her no objection in this regard has also been filed by her.

4. Learned counsel for the Petitioner states that the disputes between the parties arose out of a matrimonial dispute; however, the parties have since arrived at a settlement vide Settlement Agreement dated 22.11.2023.

4.1. He states that acting upon the Settlement Agreement, parties have also been granted a decree of mutual divorce on 06.07.2024.

4.2. He states that all other cases filed by the parties against each other stands withdrawn.

5. Keeping in view the nature of the dispute and the fact that the parties have amicably settled the dispute and considering the chances of conviction of the Petitioners being remote and bleak, this Court is, therefore, of the view that 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. Further this Court is also of the considered opinion that it is a fit case to exercise discretionary jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. In view of the above, FIR No. 0088/2023 dated 05.04.2023 registered at P.S. Sector-23, Dwarka for offences under Sections 498A/406/34 of the Indian Penal Code, 1860 and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Pending application is disposed of as infructuous.



9. 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.

JANUARY 22, 2025/mt/MG **MANMEET PRITAM SINGH ARORA, J**

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