



\$~27

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

+ **CRL.M.C. 9610/2024**

GOLU KUMAR @ ADITYA & ORS.Petitioners

Through: Mr. Lakshay Verma, Advocate.

versus

STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Aman Usman, APP for the State
with SI Mamta, PS Dabri
Ms. Chanchal, Advocate for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

30.01.2025

Crl. M.A. 36882/2024 (exemption)

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

CRL.M.C. 9610/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No. 406/2023 under Sections 498A/406/34 IPC registered at Police Station Dabri, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. Learned APP appearing on behalf of the State accepts notice. Learned counsel appearing on behalf of respondent no. 2 also accepts notice.



5. The learned APP submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
6. The petitioner no.1 (husband) and the respondent no. 2 (wife) are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Mamta, Police Station Dabri, Delhi.
7. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 12.02.2019 according to Hindu Rites and Customs. Out of the wedlock, the parties were blessed with one daughter who was born on 04.07.2020.
8. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 25.07.2022. The dispute between the parties also led to the registration of the aforesaid FIR.
9. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding/Settlement dated 09.10.2024, which is annexed as Annexure-P-II to the present petition.
10. The parties are living separately since 25.07.2022 but with the intervention of elder members of family, friends and well-wishers they have resolved their disputes.
11. It is the term of the settlement that respondent no. 2 shall, for the time being, stay separately from her husband (petitioner no.1) along with the girl child. It is also agreed that petitioner no.1/husband will pay a monthly maintenance of Rs. 8,000/- instead of Rs. 5,000/- as recorded in the aforesaid settlement.
12. The respondent no.2 who is present in Court, on a query posed by the



Court, affirms the factum of settlement and states that she has no objection in case the FIR is quashed.

13. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

15. Consequently, the petition is allowed and the FIR No. 406/2023 under Sections 498A/406/34 IPC registered at Police Station Dabri, Delhi alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

JANUARY 30, 2025
'rs'