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

+ **CRL.M.C. 10142/2024**

ASHU ALIAS ASHUTOSH GOLIYAN AND ORSPetitioners

Through: Ms. Seema K. Grover, Advocate

versus

THE STATE (GNCT OF DELHI) AND ANRRespondents

Through: Mr. Pradeep Gehlot, APP for the State
with IO/SI Anil Kumar PS Seema Puri
Mr. Deepak Sehgal, Advocate with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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14.01.2025

CRL.M.A. 38941/2024 (exemption)

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

CRL.M.C. 10142/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No. 723/2022 under Sections 498A/406/34 IPC registered at Police Station Seema Puri, Distt Shahdara, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He 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.

5. The petitioner no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Anil Kumar PS Seema Puri.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 02.01.2022 according to Hindu Rites and Customs.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 10.04.2022. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties have resolved all their disputes and a settlement between the parties has been agreed upon, the terms whereof were reduced in writing in the form of Settlement dated 16.03.2024, which is annexed as Annexure-B to the present petition.

9. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 21.10.2024 which is annexed as Annexure-C to the present petition.

10. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

11. 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.

12. It is, thus, in the interest of justice that the present FIR and all the other



proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No. 723/2022 under Sections 498A/406/34 IPC registered at Police Station Seema Puri, Distt Shahdara, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

JANUARY 14, 2025
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