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

+ **CRL.M.C. 2126/2025**

RAHUL MATHUR

.....Petitioner

Through: Mr. Devender Kumar and Ms.
Toshiba Adlakha, Advocates.

Versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State with SI Mahesh Kumar, P.S.
Kalkaji.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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25.04.2025

CRL.M.A. 9567/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.A.9568/2025 (Condonation of delay)

3. Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (new) and Section 482 (old) of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*), has been filed on behalf of the Petitioner, for condonation of delay of 53 days in re-filing the accompanying Petition.
4. For the reasons stated in the Application and in the interest of justice, the delay of 53 days in re-filing the accompanying Petition is condoned and the same is allowed.

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5. The Application is disposed of accordingly.

CRL.M.C. 2126/2025

6. Petition under Section 528 of B.N.S.S/Section 482 of CrPC, has been filed on behalf of the Petitioner, Mr. Rahul Mathur for quashing of FIR No. 322/2022 under Section 354/354-A/509 of the Indian Penal Code, dated 05.04.2022 registered at Police Station Kalkaji, New Delhi.

7. Issue notice.

8. Mr. Yudhvair Singh Chauhan, learned APP appearing on advance Notice, accepts Notice on behalf of the State.

9. Briefly stated, the Petitioner is the younger brother of the husband of the Respondent No. 2/Complainant. The Respondent No. 2 along with her husband run a utensil shop. On 04.04.2022 at about 8:00 p.m, Petitioner came inside the shop of the Respondent No. 2 and asked her that why did she made Complaint against him and the Petitioner started abusing the Respondent No. 2 and caught the hold of her shoulder and brought the Respondent No. 2 outside by dragging her out and started doing some vulgar acts and laid down on the road in front of the shop and started hitting the stool on his head, which was kept there.

10. It is further submitted that on 05.04.2022, on the Complaint of the Respondent No. 2, an FIR No. 322/2022 under Section 354/354-A/509 of the IPC, dated 05.04.2022 got registered at Police Station Kalkaji, New Delhi.

11. It is stated that a meeting for Mediation between the parties, was called by the relatives and elder persons of both the family members and the Petitioner and the Respondent No. 2 amicably settled all the disputes and differences between them and arrived at Settlement Deed dated 24.02.2025

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wherein it was *inter alia* settled between the parties that the Respondent No. 2/Complainant keeping solely on humanitarian grounds and keeping in view the family relations in mind and to save her future and social character, agreed to settle the dispute through mutual settlement. It was further agreed that both the parties have amicably agreed to cease their enmity for common good and wellness. It was also stated that the Respondent No. 2 is agreed to render all assistance in quashing/withdrawing the FIR bearing No. 322/2022 registered with Police Station Kalkaji, New Delhi. It was further agreed between the parties that if the Petitioner will do the same act in future against the Respondent No. 2/Complainant, then the Complainant will be free to take necessary legal actions against him.

12. In view of the Settlement Deed dated 24.02.2025, the present Petition has been filed.

13. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

14. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 24.02.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

15. The present Petition has been signed by the Petitioner No.1 and is supported by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 24.02.2025 and they also submit that the said Settlement Deed dated 24.02.2025 has been arrived at between the parties, without any pressure and coercion.

16. The statement of the parties have already been recorded by the

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learned Joint Registrar and they have given an undertaking that they shall remain bound by all the terms and conditions stated in the Settlement Deed.

17. Today, the Respondent No. 2/Complainant, who is present in Court states that she no objection if the said FIR is quashed.

18. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

19. Moreover, there is no legal impediment in quashing the FIR in question.

20. Accordingly, FIR No. 322/2022 under Section 354/354-A/509 of the IPC, dated 05.04.2022 registered at Police Station Kalkaji, New Delhi and the consequential proceedings emanating thereto are quashed.

21. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 25, 2025/RS

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