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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 243/2024**
GIRISH KUMAR & ORS. Petitioners
Through: **Mr.Prashant Sharma, Adv.**

versus

STATE NCT OF DELHI AND ANR. Respondents
Through: **Mr.Shoaib Haider, APP with SI**
Meena Malik, Adv.
Ms.Manish Singh, Adv. for R-2
with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.01.2024**
CRL.M.A. 967/2024 (Exemption)

1. Allowed subject to all just exceptions.

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2. This petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') seeking quashing of FIR No.27/2021 registered at Police Station: Model Town under Sections 406/498A/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom.

3. The learned counsel for the petitioners submits that the FIR was an offshoot of the matrimonial discord between the parties. He submits that the marriage between the petitioner no.1 and the respondent no.2 has already been dissolved by the learned Family Court by mutual consent vide the decree of divorce dated 03.11.2023.



He further submits that with the intervention of the family members, the parties entered into a settlement deed on 04.06.2023.

4. The respondent no.2 is present in person and is duly identified by the IO – SI Meena Malik, and she re-affirms the above settlement. She submits that divorce has already taken place between her and the petitioner/husband.

5. Today, the petitioners have also handed over a demand draft for an amount of Rs.2.5 lacs in terms of the settlement deed dated 04.06.2023, to the respondent no.2 in Court.

6. In view of the above, and considering the Settlement arrived at between the parties, I find that no useful purpose would be served in continuing with the proceedings of the present FIR, rather it would create further acrimony between the parties and moreover will be a misuse of the process of the Court and an unnecessary burden on the State exchequer.

7. Keeping in mind the facts of the present case and being guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303 and ***Jitendra Raghuvanshi v. Babita Raghuvanshi***, (2013) 4 SCC 58, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the CrPC to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. Consequently, the FIR No. 27/2021 registered at Police Station: Model Town under Sections 406/498A/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.



9. Parties shall abide by the terms of the aforesaid settlement.
10. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 11, 2024/Arya/am

Click here to check corrigendum, if any