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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 150/2024**
VIVEK PRASAD & ORS. Petitioners
Through: Mr.Sandeep Chaudhary, Adv.
versus

THE STATE (NCT OF DELHI) & ANR. Respondents
Through: Mr.Yasir Rauf Ansari, ASC
(Crl.), Mr.Alok Sharma,
Mr.VasuAgarwal, Adv. for R-
1 with SI Ekta Yadav.
Mr.Krishan Kumar, Adv. for R-
2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **15.01.2024**
CRL.M.A. 1291/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 150/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 1049/2021 registered at Police Station: Bindapur, New Delhi under Sections 498A/406/34 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 29.05.2023.

4. The respondent no.2 is present in person and is duly identified



by the IO. She re-affirms the above settlement and submits that divorce has already taken place between her and the petitioner no.1.

5. The learned counsel for the petitioners has also handed over a Demand Draft for an amount of Rs.3 lac to the respondent no.2.

6. In view of the above and considering the Settlement between the parties, I find that there is no use in continuing with the proceedings of the present FIR as it would rather create further acrimony between the parties and 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 Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed.

9. Consequently, the FIR No. 1049/2021 registered at Police Station: Bindapur, New Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are hereby quashed.

10. Parties shall abide by the terms of the aforesaid settlement.

11. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 15, 2024/Arya/RP

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