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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 254/2024**
SH. GAJRAJ AND OTHERS Petitioners

Through: Ms.Prity Mishra, Mr.Mukesh
Kr. Mishra and Mr.Ajay
Kumar, Advs.

versus

THE STATE NCT OF DELHI AND ANR. Respondents

Through: Mr.Sanjay Lao, SC with SI
Gaurav Yadav
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
24.01.2024

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CRL.M.A. 2309/2024

1. Allowed, subject to all just exceptions.

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2. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0721/2022 registered at Police Station: Nand Nagri, North-East District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 4 of Dowry Prohibition Act, 1961 (in short, 'DP Act'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Sanjay Lao, learned Standing Counsel



(Criminal) for the State.

5. The learned counsel for the petitioners submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner no. 1 and the respondent no. 2. He submits that the parties have amicably settled all their *inter se* disputes and have entered into a settlement and have executed a Settlement Deed dated 18.07.2023. Pursuant to the above Settlement between the parties, the learned Family Court has, vide its judgement dated 09.11.2023, granted divorce to the parties by mutual consent.

6. The Respondent no.2 is present in person in Court and has been duly identified by the Investigating Officer (IO). She affirms that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

7. The learned counsel for the petitioners has handed over a sum of Rs.1,00,000/- in cash to the respondent no. 2.

8. I have perused the contents of the FIR and also the settlement entered into between the parties.

9. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, a decree of divorce has also been passed by the learned Family Court pursuant to the settlement, and also looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.



10. Guided by the principles enunciated by the Supreme Court in its judgments in *Kapil Gupta v. State (NCT of Delhi)*, 2022 SCC OnLine SC 1030, *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.* and (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3, 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.

11. Accordingly, the petition is allowed. FIR No. 0721/2022 registered at Police Station: Nand Nagri, North-East District, Delhi under Sections 498A/406/34 of the IPC and Section 4 of DP Act and all consequential proceedings emanating therefrom against the petitioners are quashed.

12. *Dasti.*

NAVIN CHAWLA, J

JANUARY 24, 2024/ns/ss

Click here to check corrigendum, if any