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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 615/2024**
SONU BAHAL & ANR. Petitioners
Through: Mr.Arjun Malik, Adv.

versus

STATE OF NCT OF DELHI & ANR. Respondents
Through: Mr. Shoaib Haider, APP with
SI Kartar Singh, Adv.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

% **ORDER**
25.01.2024

CRL.M.A. 2569/2024 (Exemption)

1. Allowed, subject to all just exception.

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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. 871/2016 registered at Police Station: Uttam Nagar, 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 parties have amicably settled the disputes and the petitioner no.1 and the respondent no.2 have been granted divorce by mutual consent on 09.10.2023 by the learned Family Court.

4. The respondent no.2, who appears in person and has been duly identified by the Investigating Officer, does not oppose the present



petition and reiterates that the dispute has been amicably settled as the parties have entered into a Settlement dated 26.09.2022.

5. The petitioner no.1/husband has paid a sum of Rs.50,000/- by way of a Demand Draft to the respondent no.2 as per the settlement.

6. In view of the above, and considering the Settlement between the parties, I find that there would be 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. 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; *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.

7. Accordingly, the petition is allowed. Consequently, the FIR No. 871/2016 registered at Police Station: Uttam Nagar, New Delhi under Section 498A/406/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

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

NAVIN CHAWLA, J

JANUARY 25, 2024/Arya/am

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