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

+ **CRL.M.C. 627/2024**
RAHUL SINGH AND OTHERS

..... Petitioners

Through: Mr.Rahul Aggarwal, Mr.Amit
Pratap Singh and Mr.Naveen
Kumar Awana, Advs.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Priyanka
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
25.01.2024

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CRL.M.A. 2617/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 627/2024

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. 546/2019 registered at Police Station: Rani Bagh, Outer District, Delhi under Sections 498A/406/377/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Ms.Priyanka Dalal, learned APP 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 resolved all their *inter se* disputes and the petitioner no. 1 and the respondent no. 2 have executed a settlement vide Settlement Agreement/Memorandum of Understanding dated 02.06.2023.

6. The petitioner no.1 has also filed an affidavit dated 25.01.2024, a copy thereof has been handed over in the Court stating that the abovementioned settlement between him and the respondent no. 2 shall not, in any manner, prejudice the rights of the two children born from the wedlock.

7. The learned counsel for the petitioners has also handed over a demand draft of Rs.10,00,000/- to the respondent no. 2, who is present in person in Court and has been duly identified by the Investigating Officer (IO). The respondent no.2 reaffirms 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 subject FIR is quashed.

8. In view of the above and considering the abovementioned Settlement between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would rather create further acrimony between the parties and would be an unnecessary burden on the State exchequer. Guided by the principles enunciated by the Supreme Court in its judgments in



Jitendra Raghuvanshi v. Babita Raghuvanshi, (2013) 4 SCC 58, *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinh Karmur & Ors. v. State of Gujarat & Ors.* (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.

9. Accordingly, the petition is allowed. Consequently, the FIR No. 546/2019 registered at Police Station: Rani Bagh, Outer District, Delhi under Sections 498A/406/377/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

10. However, as regards the rights of the children born out of the wedlock, it is made clear that the rights of the children will not be restricted/compromised on the basis of the aforesaid Settlement and all their legal rights will remain protected and available to them in accordance with law.

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

NAVIN CHAWLA, J

JANUARY 25, 2024/ns/AS

Click here to check corrigendum, if any