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

+ **W.P.(CRL) 314/2024**

SANJAY & ORS.

..... Petitioners

Through: Mr.Prince Sharma, Mr.Arvind
Mishra, Mrs.Archana Kumari,
Mrs.Ravi Kanchana, Advs.

versus

THE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Ms.Priyanka Dalal, APP with
PSI Preeti Ahlawat.
Mr.Ashish Kr. Jha,
Mr.Akhilesh, Advs. for R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
20.02.2024

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1. This petition has been filed under Article 226 of the Constitution of India and Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 08/2024 registered at Police Station: South Rohini, New Delhi under Sections 506/509 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom. Later on, after the statement of the respondent no.2 under Section 164 Cr.P.C., Section 376 of the IPC was also invoked.

2. Issue notice.

3. Notice is accepted by Ms.Priyanka Dalal, learned APP for the State and Mr.Ashish Kumar Jha, learned Advocate on behalf of the



respondent no.2.

4. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes. He submits that the petitioner no.1 and the respondent no.2 got married on 12.01.2024 and have executed a Settlement Agreement dated 24.01.2024 and are residing together happily.

5. The respondent no.2, who is personally present in Court and has been duly identified by the Investigating Officer (IO), does not oppose the present petition and reiterates that the disputes have been amicably settled out of her own free will and without any coercion, and reaffirms the above averments made by the learned counsel for the petitioners and submits that she is living happily with the petitioner no.1 and has no objection if the present FIR is quashed.

6. I have perused the contents of the FIR and also the Settlement Agreement between the parties.

7. Keeping in view the fact that the petitioner no.1 and the respondent no.2 are happily married now and that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

8. 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, ***Jitendra Raghuvanshi v. Babita Raghuvanshi***, (2013) 4



SCC 58, *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, 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, FIR No.08/2024 registered at Police Station: South Rohini, New Delhi and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

FEBRUARY 20, 2024/Arya/AS

Click here to check corrigendum, if any