



\$~82

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 809/2024**  
**RISHAB JAIN AND ORS.** ..... Petitioners  
Through: **Mr.Prateek Goswami,**  
**Mr.Shashank Goswami, Advs.**  
versus

**STATE OF NCT OF DELHI AND ANR.** ..... Respondents  
Through: **Mr.Aman Usman, APP with SI**  
**Amit Beniwal.**  
**Mr.Gaurav Dalal, Adv. for R-2**  
**with R-2 in person.**

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**  
% **01.02.2024**  
**CRL.M.A. 3258/2024 (Exemption)**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 809/2024**

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. 67/2020 registered at Police Station: Vivek Vihar, Shahdara District, 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 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 their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Compromise dated



17.05.2023. He further submits that the Divorce between the petitioner no.1 and respondent no.2 has taken place.

4. The respondent no.2, who is present in Court, duly identified by the Investigating Officer, reaffirms the settlement and states that she has settled all the *inter se* disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she does not wish to pursue the proceedings emanating from the FIR any further and has no objection if the present FIR is quashed.

5. The petitioner no.1, who is present in the Court, also undertakes that the settlement arrived at between the parties shall not, in any manner, prejudice the rights of the child born out of the wedlock.

6. The petitioners have handed over two demand drafts, totalling Rs.55,00,000/- to the respondent no.2.

7. I have perused the contents of the FIR and also the settlement between parties.

8. Keeping in view the fact 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.

9. 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 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 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.

10. Accordingly, the petition is allowed. FIR No. 67/2020 registered at Police Station: Vivek Vihar, Shahdara District, Delhi under Sections 498A/406/34 of IPC, and all the consequential proceedings emanating therefrom against the petitioners are quashed.

11. The petition is allowed in the above terms.

**NAVIN CHAWLA, J**

**FEBRUARY 1, 2024/Arya**

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