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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 342/2024**
RAKESH KUMAR AND ORS.

..... Petitioners

Through: Mr.Rajesh Pandey, Adv.
Petitioners present in person in Court.

versus

STATE OF NOT DELHI AND ANR.

..... Respondents

Through: Mr.Anand V. Khatri, ASC
(Crl.) for GNCTD/State.
SI Sohan Lal, PS Fatehpur Beri.
Mr.Vivek Singh, Adv. for R-2
along with R-2 present in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **01.02.2024**

CRL.M.A. 3120/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 342/2024

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.520/2022 registered at Police Station: Fatehpur Beri, South District, New Delhi, under Sections 498-A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.

3. Issue notice.



4. Notice is accepted by Mr.Anand V. Khatri, learned Additional Standing Counsel (Crl.) on behalf of the State and Mr.Vivek Singh, learned counsel on behalf of the respondent no.2.

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 their *inter se* disputes and have entered into a settlement vide Settlement Agreement dated 21.01.2023 before the Mediation Centre, Saket Courts, New Delhi.

6. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), 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.

7. The learned counsel for the petitioners has handed over a Demand Draft of Rs.3,00,000/- (Rupees Three Lakhs Only) to the counsel for respondent no.2 as per the terms of the Settlement.

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

9. 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.

10. 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.

11. Accordingly, the petition is allowed. FIR No.520/2022 registered at Police Station: Fatehpur Beri, South District, New Delhi, under Sections 498-A/406/34 of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

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

NAVIN CHAWLA, J

FEBRUARY 1, 2024/rv/AS

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