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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 888/2024**
ANKIT TAYAL AND OTHERS Petitioners
Through: **Mr.Rakesh Gupta, Adv.**

versus

THE STATE & ANR Respondents
Through: **Mr.Satinder Singh Bawa, APP**
with SI Manoj Kumar.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.02.2024**
CRL.M.A. 3565/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 888/2024

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.0096/2021 registered at Police Station: Nihal Vihar, Outer-District, Delhi, under Sections 323/341/354/379/34 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 the learned APP for the State and the learned counsel for the respondent no.2.

5. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and have entered into a



settlement vide Settlement Agreement/Compromise dated 02.02.2022 and basis of which decree of divorce dated 27.03.2023 has been passed.

6. The respondent no.2 who is present in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

7. The petitioners have handed over a Demand Draft of Rs.50,000/- to the respondent no.2 in Court.

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

9. Keeping in view the fact that the respondent no.2 does not wish to pursue his 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.0096/2021 registered at Police Station: Nihal Vihar, Outer-District Delhi, under Sections 323/341/354/379/34 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

12. The petition is disposed of.

NAVIN CHAWLA, J

FEBRUARY 5, 2024/Arya/RP

Click here to check corrigendum, if any