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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 896/2024**
MALKEET SINGH & ANR. Petitioners
Through: Mr.Umesh Kr. Burnwal,
Mr.Deepak Sharma, Adv.
P-1 in person.

versus

STATE (NCT OF DELHI) & ANR Respondents
Through: Mr.S.S.Bawa, APP
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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04.03.2024

1. 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.145/2016 registered at Police Station: Khyala, New Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. Issue notice.
3. Notice is accepted by Mr.S.S.Bawa, learned APP for the State and Respondent no.2, who appears in person.
4. 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.
5. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a



settlement vide Settlement Deed dated 01.04.2023.

6. Pursuant to the above Settlement between the parties, the learned Family Court has, vide Decree of Divorce dated 11.11.2019 in HMA No.286/2017 titled as ***Malkeet Singh v. Smt. Simrat Kaur***, granted divorce to the petitioner no.1 and the respondent no.2 by mutual consent.

7. The respondent no.2 is present in person in Court and has been duly identified by the learned APP on the basis of Aadhaar card produced by her. She affirms the settlement and states 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 present FIR is quashed.

8. The petitioner has handed over Rs.35,000/-, in cash, to the respondent no.2 in Court today.

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

10. As the disputes between the parties arose out of a matrimonial relationship which have now been amicably settled and a decree of divorce has also been passed by the learned Family Court pursuant to the settlement, looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. Guided by the principles enunciated by the Supreme Court in its judgments in ***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.

12. Accordingly, the petition is allowed. FIR No.145/2016 registered at Police Station: Khyala, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 4, 2024

RN/am

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