



\$~75 & 76

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
(75)+ CRL.M.C. 370/2022
ADITYA SHARMA AND ORS.

..... Petitioners

Through: Ms.Shashi Kiran, Adv. (through
VC).
Petitioners present in Court.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Kishan Chand, PS Bindapur.
Respondent-Anshika, present in
Court.

(76) CRL.M.C. 828/2024 & CRL.M.A. 3331/2024
ADITYA SHARMA

..... Petitioner

Through: Ms.Shashi Kiran, Adv. (through
VC).
Petitioners present in Court.

versus

STATE OF DELHI NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Kishan Chand, PS Bindapur.
Respondent-Anshika, present in
Court.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

13.02.2024

1. These petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the complaint bearing MC No. 658/2021 registered at Police Station: Bindapur under Section 12 of the Protection of Women from



Domestic Violence Act, 2005 and FIR No. 587/2021 registered with Police Station: Bindapur under Sections 494/495/420/506/120B/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, on the basis of settlement.

2. 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/husband - Aditya Sharma and the respondent No.2/Wife - Anshika Sharma. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement dated 13.04.2023 and based thereon a decree of divorce by mutual consent was granted on 01.07.2023. A demand draft of Rs.65,000/- has been handed over to respondent - Anshika in Court.

3. The respondent - Anshika Sharma, 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 - Anshika 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. She further submits that she has received the amount as per the Settlement.

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

5. Keeping in view the fact that the respondent - Anshika does not wish to pursue her complaint/FIR 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 complaint/FIR as it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. 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.

7. Accordingly, the petition is allowed. Complaint bearing MC No. 658/2021 registered at Police Station: Bindapur under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and FIR No. 587/2021 registered with Police Station: Bindapur under Sections 494/495/420/506/120B/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

8. The petitions and the pending application are disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 13, 2024/rv/am

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