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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1039/2024**
PAWAN & ANR. Petitioners

Through: Mr.Pawan Singh Tanwar, Adv.
along with P-1 in person.

versus

THE STATE & ANR. Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Meetu Yadav
Mr.Sarthak Saxena, Adv. for R-
2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **09.02.2024**

CRL.M.A. 4169/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1039/2024

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.0063/2016 registered at Police Station: Greater Kailash (Old), South-East District, 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.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP and Mr.Sarthak Saxena, learned counsel for the respondent no.2.

5. The learned counsel for the petitioners submit 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, that is, the petitioner no.1 and the respondent no.2 have amicably settled their *inter se* disputes and have entered into a settlement vide Compromise / Settlement Deed dated 23.01.2024. As per the terms of the settlement, the parties have decided to start living together peacefully and happily along with their children.

6. The respondent no.2 is present in person in court and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms 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.

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

8. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, the parties are now living together peacefully and happily along with their children, and also 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.

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.0063/2016 registered at Police Station: Greater Kailash (Old), South-East District, Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

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

NAVIN CHAWLA, J

FEBRUARY 9, 2024/ns/ss

Click here to check corrigendum, if any