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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1168/2024**
SALMAN & ORS. Petitioners

Through: Mr.Irfan Khan, Adv.

versus

STATE & ANR. Respondents
Through: Mr.Satinder Singh Bawa, APP
with ASI Roshan Lal.
Mr.Dilshad, Adv. for R-2 with
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

13.02.2024

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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.0366/2020 registered at Police Station: Jyoti Nagar, North-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.
2. Issue notice.
3. Notice is accepted by Mr.Satinder Singh Bawa, learned APP and Mr.Dilshad, learned counsel for the respondent no.2.
4. 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.
5. The learned counsel for the petitioners submits that the parties have now amicably settled their *inter se* disputes and have entered into



a settlement vide Settlement Agreement/Compromise dated 06.10.2023 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

6. Pursuant to the above settlement, the petitioner no.1 and the respondent no.2 have also executed the deed of divorce/Talaqnama dated 18.12.2023.

7. The respondent no.2 who is present in person 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 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 petitioners have handed over a Demand Draft of Rs.1,35,000/- to the respondent no.2 in Court.

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, and now the same have been amicably settled, a deed of divorce has also been executed between the petitioner no.1 and respondent no.2 pursuant to the settlement, 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.

11. 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.

12. Accordingly, the petition is allowed. FIR No.0366/2020 registered at Police Station: Jyoti Nagar, North-East District, Delhi, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

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

NAVIN CHAWLA, J

FEBRUARY 13, 2024/Arya/ss

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