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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1316/2024**

RAHUL CHAUHAN AND ORS Petitioners
Through: Mr.Harshit Jain, Adv.
(DHCLSC) with Mr.Shubham
Singh, Mohd. Shoaib Ansari,
Mr.S.K.Yadav, Adv.
Petitioners are present virtually

versus

STATE & ANR. Respondents
Through: Mr.Satinder Singh Bawa, APP
with SI Mahesh.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
06.05.2024

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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.0481/2021 registered at Police Station: Palam Village, South-West 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. 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.
3. The learned counsel for the petitioners submits that the parties, that is, the petitioner no.1 and the respondent no.2, have amicably settled all their *inter se* disputes vide Settlement dated 20.07.2023



before the Mediation Centre, Dwarka Courts, Delhi.

4. Pursuant to the above settlement, the parties have also obtained divorce by mutual consent vide Decree of Divorce dated 24.11.2023 passed by the learned Judge, Family Courts – 02, South-West District, Dwarka Courts, Delhi.

5. The learned counsel for the petitioners has handed over a Demand Draft of a sum of Rs.1 lakh in terms of the aforesaid settlement to the respondent no.2, who is present in court in person 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.

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

7. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, a Decree of Divorce has also been passed by the learned Family Court pursuant to the settlement between the parties, 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.

8. 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 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.

9. Accordingly, the petition is allowed. FIR No.0481/2021 registered at Police Station: Palam Village, South-West District, Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 6, 2024
RN/ss

Click here to check corrigendum, if any