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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 733/2022**
AJIT SINGH & ORS.

..... Petitioners

Through: Mr.Veerpal Singh, Adv.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP.
SI Sandeep, PS Kanjhawala and
SI Soma, PS Kanjhawala.
Mr.Tushar Rohmetra, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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11.03.2024

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. 81/2013 registered at Police Station: Kanjhawala, Outer District, Delhi under Sections 406/498A/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 no.1 and the respondent no.2. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement dated 28.10.2020 before the Counselling Cell, Family Courts, New Delhi.



3. Pursuant to the above Settlement between the parties, the learned Principal Judge, Family Courts, North-West District, Delhi has granted a decree of divorce dated 02.12.2021 to the petitioner no.1 and the respondent no. 2 by mutual consent.

4. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), re-affirms the settlement and states that she has settled all the *inter se* disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 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.

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

6. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint 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 FIR as the chances of its success would be rather minuscule and it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

7. 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.

8. Accordingly, the petition is allowed. FIR No. 81/2013 registered at Police Station: Kanjhawala, Outer District, Delhi under Sections 406/498A/34 of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 11, 2024/rv/AS

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