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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 577/2024**
AMIR ABID

..... Petitioner

Through: Mr.Shahid Azad, Mr.Kamal
Kumar & Mr.Mohd. Shoaib,
Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr.Yasir Rauf Ansari, ASC
(Crl.) for State with Mr.Alok
Sharma & Mr.Vasu Agarwal,
Advs.
SI Pushpa Kumari, PS Jama
Masjid.
Ms.Meenu Sharma, Adv. for R-
2.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **19.02.2024**
CRL.M.A. 5292/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 577/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), praying for quashing of FIR No. 0108/2024 registered with Police Station: Jama Masjid under Section 376 of the Indian Penal Code, 1860 (in short, 'IPC') and all the proceedings emanating therefrom.

3. Issue notice.



4. Notice is accepted by Mr.Yasir Rauf Ansari, learned ASC (CrI) on behalf of the State and Ms.Meenu Sharma, learned counsel on behalf of respondent no.2.

5. The learned counsels for the petitioner and the respondent no. 2 submit that the parties have amicably resolved their *inter se* disputes and, in fact, the petitioner and the respondent no.2/complainant are happily married now, and that the complaint was filed on the basis of a misunderstanding.

6. I have also interacted with the respondent no.2, who is present in Court and has been duly identified by the IO. The respondent no.2 reaffirms that she has settled all the *inter se* disputes with the petitioner of her own free will and without any coercion. She states that she married the petitioner by performing Nikah on 04.02.2024 in presence of witnesses and relatives, and is living happily since then. The respondent no. 2 submits that she has no objection if the present FIR against the petitioner is quashed.

7. On the other hand, the learned Additional Standing Counsel (CrI.) opposes the prayer made in the present petition as the charges alleged against the petitioner are heinous.

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

9. In view of the above, and considering 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. The continuation of the proceedings would rather act as a hindrance in the happy married life of the parties and would rather create further acrimony



between them.

10. Guided by the principles enunciated by the Supreme Court in its judgments in *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, *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3 and, *Ramawatar v. State of M.P.*, (2022) 13 SCC 635, 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.

11. Accordingly, the petition is allowed. FIR No 0108/2024 registered with Police Station: Jama Masjid under Section 376 of IPC, and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

FEBRUARY 19, 2024/rv/am

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