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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 1382/2024**

AJAY MEHNDIRATTA & ORS. Petitioners

Through: **Ms.Azra Rehman, Mr.Zakir
Rehman, Advs.**

versus

SHO PS MEHRAULI STATE NCT OF DELHI AND ORS.

..... Respondents

Through: **Mr.Manoj Pant, APP with SI
Karan Pal, ASI Rajesh Kumar.
Mr.Deepak Gupta,
Mr.Thangminlal Kipgen,
Mr.Sudhir Kumar, Mr.Manish
Kumar, Ms.Swati Tayal, Advs.
for R-2 with R-2 in person.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.02.2024

CRL.M.A. 5452/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1382/2024

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. 0755/2021 registered at Police Station: Mehrauli, New Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom.

3. Issue notice.

4. Notice is accepted by Mr.Manoj Pant, the learned APP and



Mr. Deepak Gupta, Advocate on behalf of the respondent no.2.

5. The learned counsel for the petitioners submits that parties have amicably settled their disputes before the Mediation Centre, Saket Courts, New Delhi and had executed Settlement Agreement dated 28.08.2023 and are residing together.

6. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), does not oppose the present petition and reiterates that the dispute has been amicably settled out of her own free will and without any coercion, and affirms the above averments and 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 Agreement dated 28.08.2023.

8. Considering the above submissions and the fact that the parties are married and are living together, I find that no useful purpose will be served in continuing with the proceedings of the above FIR; it would rather create further acrimony between the parties and would be an unnecessary burden on the State exchequer.

9. Guided by the principles enunciated by the Supreme Court in its judgments in *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335; *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58, 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. Consequently, the FIR No. 0755/2021 registered at Police Station: Mehrauli, New Delhi under



Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

FEBRUARY 20, 2024/Arya/am

Click here to check corrigendum, if any