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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1467/2024**
MANISH KUMAR SHARMA & ORS.

..... Petitioners

Through: Ms.Gulafsha Kureshi &
Mr.Abhishek Naik, Advs. along
with petitioners present in
person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Sangeeta Malik, PS Model
Town.
Mr.Gurbachan Singh &
Mr.Arvind Negi, Advs. for R-2
along with R-2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **22.02.2024**

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. 0628/2020 registered at Police Station: Model Town, District-Rohini, Delhi under Sections 498A/406/34/377/354/354A of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.
2. Issue notice.
3. Notice is accepted by Mr.Shoaib Haider, learned APP on behalf



of respondent no.1 and Mr.Gurbachan Singh, learned counsel on behalf of respondent no.2.

4. 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 Memorandum of Understanding dated 17.01.2023.

5. Pursuant to the above Settlement between the parties, the learned Family Court has granted divorce to the petitioner no. 1 and the respondent no. 2 by mutual consent vide Decree of Divorce dated 08.05.2023.

6. 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.

7. The learned counsel for the petitioners has handed over a Demand Draft of Rs.5,00,000/- (Rupees Five Lakhs Only) to the counsel for respondent no.2 as per the terms of the Settlement.

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

9. 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 it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

10. 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.

11. Accordingly, the petition is allowed. FIR No.0628/2020 registered at Police Station: Model Town, District-Rohini, Delhi under Sections 498A/406/34/377/354/354A of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

12. The request of the petitioners for release of the seized articles shall be considered by the learned Trial Court and appropriate orders shall be passed thereon.

NAVIN CHAWLA, J

FEBRUARY 22, 2024/rv/am

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