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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1533/2024**
MOHD. ARIF SAIFI ALIAS ARIF & ORS. Petitioners
Through: **Mr.Raj Kumar, Mr.Salim Khan,**
Advs. along with petitioners in
person.

versus

STATE & ANR. Respondents
Through: **Mr.Satinder Singh Bawa, APP**
with SI Akash Kumar
Mr.Praduman Sharma, Adv. for
R-2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **26.02.2024**
CRL.M.A. 5995/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1533/2024

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. 340/2019 registered at Police Station: Bhajan Pura, North-East District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Sections 3/4 of the Dowry Prohibition Act, 1961 (in short, 'DP Act'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP for



State and Mr.Praduman Sharma, learned counsel for the respondent no.2.

5. 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 all their *inter se* disputes before Delhi Mediation Centre, Karkardooma Courts, Delhi vide Mediation Settlement dated 12.09.2023.

6. The respondent no.2 is present in person and has been duly identified by the Investigating Officer (IO). The respondent no.2 reaffirms the abovementioned settlement and states that she has settled all the disputes with the petitioners out 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.

7. The learned counsel for the petitioners has also handed over a demand draft for a sum of Rs.1.75 lacs to the respondent no.2, pursuant to the abovementioned 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 the chances of its success will be rather minuscule and it would rather 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. 340/2019 registered at Police Station: Bhajan Pura, North-East District, Delhi under Sections 498A/406/34 of the IPC and Sections 3/4 of DP Act and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

FEBRUARY 26, 2024/ns/AS

Click here to check corrigendum, if any