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

+ **CRL.M.C. 1624/2024**

AMIT KUMAR

..... Petitioner

Through: Mr.Vikram Singh, Adv. along
with petitioner in person

versus

STATE THROUGH SHO PS PALAM VILLAGE AND ANR

..... Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Mahesh
Mr.Vijay Kumar, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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27.02.2024

CRL.M.A. 6295/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1624/2024

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.0475/2019 registered at Police Station: Palam Village, New Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC'), 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,



and Mr.Vijay Kumar, learned counsel for the respondent no.2.

5. The learned counsel for the petitioner submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner and the respondent no. 2.

6. The learned counsel for the petitioner submits that the parties, that is, the petitioner and the respondent no.2 have amicably settled all their *inter se* disputes before a Counselling Cell vide Settlement dated 20.09.2022, and decree of divorce between them has already been passed by the learned Judge, Family Court-01, Dwarka, New Delhi on 05.10.2023.

7. The learned counsel for the petitioner has handed over a Demand Draft for a sum of Rs.60,000/- to the respondent no.2 who is present in person and has been duly identified by the Investigating Officer (IO). Respondent no.2 affirms that she has settled all the disputes with the petitioner 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.

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

9. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, and a decree of divorce has also been passed on 05.10.2023 pursuant to the settlement, and also looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, 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.0475/2019 registered at Police Station: Palam Village, New Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

FEBRUARY 27, 2024/ns/am

Click here to check corrigendum, if any