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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1953/2024**
RAHUL NARANG & ORS. Petitioners
Through: Mr.Rohit Panwar & Mr.Hirak
Anand, Advs.
versus
GOVT OF NCT OF DELHI & ANR. Respondents
Through: Mr.Satinder Singh Bawa, APP.
SI Vipin, PS Keshavpuram.
Mr.Nitin Kalra, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.03.2024**

CRL.M.A. 7500/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 1953/2024

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. 45/2019 registered at Police Station: Keshavpuram, North-West District, Delhi under Sections 406/498A/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of settlement.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP for respondent no.1 and Mr.Nitin Kalra, learned counsel for 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 their *inter se* disputes and have entered into a settlement vide Compromise/Mutual Settlement Agreement dated 18.11.2023.

6. Pursuant to the above-mentioned settlement, the learned Principal Judge, Family Court, North-West District, Rohini Courts, Delhi has granted a decree of divorce dated 01.02.2024 to the parties, that is, the petitioner no.1 and the respondent no.2.

7. The petitioner no.1 and respondent no.2 have also filed affidavits stating that the settlement arrived at between them shall, in no manner, prejudice the rights of the minor child born from their wedlock. The petitioner no.1 and the respondent no.2 are bound by the statement so made. Let the said affidavits be taken on record.

8. The learned counsel for the petitioner has handed over a Demand Draft of Rs. 4 lacs to the respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO).

9. 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 does not wish to pursue the proceedings emanating from the FIR any further and has no objection if the present FIR is quashed.

10. I have perused the contents of the FIR and considered the submissions made.

11. Keeping in view the fact that the dispute arose out of matrimonial discord and 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.

12. 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.

13. The parties shall remain bound by the terms of the settlement.

14. Accordingly, the petition is allowed. FIR No. 45/2019 registered at Police Station: Keshavpuram, North-West District, Delhi under Sections 406/498A/34 of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

15. However, as regards the rights of the minor child born from the wedlock, it is made clear that the rights of the child will not be restricted/compromised on the basis of the aforesaid Settlement and all her legal rights will remain protected and available to her in accordance with law.

NAVIN CHAWLA, J

MARCH 11, 2024/rv/AS

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