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

+ CRL.M.C. 1264/2022

NAVEEN KUMAR & ORS. Petitioners

Through: Mr.Abhay Mani Tripathi,
Ms.Anjali Chand, Advs.

versus

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

..... Respondents

Through: Mr.S.S.Bawa, APP with SI
Arvind Kumar.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

20.02.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') read with Article 227 of the Constitution of India seeking quashing of FIR No.0450/2019 registered at Police Station: Karawal Nagar, North-East District, Delhi, under Sections 498A/406 of Indian Penal Code, 1860 (in short, 'IPC') and Section 4 of Dowry Prohibition Act, 1961 (in short, 'DP Act') along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submit 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.

3. The learned counsel for the petitioners submits that the parties have now amicably settled their *inter se* disputes and have entered into



a settlement vide MOU/Settlement Deed dated 02.10.2021. Pursuant to the above Settlement, a Decree of Divorce has also been passed by the learned Family Court on 22.08.2022.

4. The respondent no.2, who is present in person in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioners 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.

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

6. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, a decree of divorce has also been passed by the learned Family Court 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.

7. 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.

8. Accordingly, FIR No.0450/2019 registered at Police Station: Karawal Nagar, North-East District, Delhi, under Sections 498A/406 of IPC and Section 4 of DP Act and all consequential proceedings emanating therefrom against the petitioners are quashed.

9. However, as regards the rights of the minor child, 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 as per law.

10. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 20, 2024

RN/ss

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