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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 1372/2022**  
**KULDEEP ALIAS HEMANT AND ANR.**

..... Petitioners

Through: Mr.Shikhar Goel, Mr.Shivam  
Gaur and Mr.Ashutosh Kumar,  
Advs.

versus

**STATE OF NCT & ANR.**

..... Respondents

Through: Mr.Shoaib Haider, APP with SI  
Seema  
Ms.Gunjan Sinha Jain and  
Mr.Animesh Tripathi, Advs. for  
R-2 along with R-2 in person.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

**21.05.2024**

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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.') seeking quashing of the Impugned Charge Sheet in FIR No.300/2015 registered at Police Station: Dwarka South, South-West District, 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 settlement.

2. 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.



3. He submits that the parties have amicably settled their *inter se* disputes and have executed a settlement vide Memorandum of Understanding dated 02.04.2024 and as per the terms of the settlement, the parties are residing together happily.

4. The respondent no.2, who is present in court in person, has been duly identified by the Investigating Officer (IO), reaffirms the above-mentioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion and does not wish to pursue her complaint against the petitioners. She 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 and the petitioner no.1 and the respondent no.2 have decided to reside together, 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. The continuation of the proceedings would rather act as a hindrance in the happy married life of the petitioner no.1 and the respondent no.2.

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, the petitions are allowed. FIR No.300/2015 registered at Police Station: Dwarka South, South-West District, Delhi under Sections 498A/406/34 of the IPC alongwith all the consequential proceedings emanating therefrom against the petitioners are quashed.

**NAVIN CHAWLA, J**

**MAY 21, 2024/ns/ss**

*Click here to check corrigendum, if any*