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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1624/2022
PRADEEP MALIK & ORS. Petitioners
Through: Mr.S.B.Sharma, Adv.

versus

STATE (NCT OF DELHI) AND ANR. Respondents
Through: Mr.Shoaib Haider, APP with SI
Sneha Bhagat, PS Mayapuri.
Mr.Hemant Kumar Mathur,
Mr.Shekhar Kumar, Advs.
Mr.Sanjay Mandawat, Advs.
for R-2 along with R-2 in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
24.04.2024

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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 FIR No.0056/2021 registered at Police Station: Mayapuri, West-District, 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.
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, that is, the petitioner no.1 and the respondent no.2 have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement / Memorandum



of Understanding dated 09.08.2021 and 02.06.2022 before the Delhi High Court Mediation and Conciliation Centre.

4. The learned counsel for the petitioners submits that the parties, that is, petitioner no.1 and the respondent no.2 have also obtained divorce by mutual consent vide Decree of Divorce dated 07.03.2022 passed by the Additional Principal Judge, Family Court, West District, Tis Hazari Courts, Delhi.

5. The respondent no.2 is present in person in Court and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms 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.

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

7. 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, 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.

8. 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.

9. Accordingly, the petition is allowed. FIR No.0056/2021 registered at Police Station: Mayapuri, West-District, New Delhi, under Sections 498A/406/34 of the IPC along with all the consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 24, 2024

RN/ss

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