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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2393/2024**
SUNIL KUMAR & ORS.

..... Petitioners

Through: Mr.Kapil Kumar, Mr.Praveen
Kumar, Mr.Ravi Prakash &
Mr.Shanu, Advs.
Petitioners present in person.

versus

STATE, (GOVT. OF NCT, DELHI) & ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP.
SI Manish Kumar, PS Aman
Vihar.
Mr.Manoj Kumar, Adv. for R-
2.
Respondent no.2 present in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **22.03.2024**

CRL.M.A. 9174/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2393/2024

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. 0331/2016 registered at Police Station: Aman Vihar, Outer 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.

3. Issue notice.



4. Notice is accepted by the learned APP and by the 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 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 dated 18.04.2023 before the learned Judge, Family Courts, North West, Rohini Courts, Delhi.
6. Pursuant to the above-mentioned settlement, the learned Judge, Family Court, North West, Rohin Courts, Delhi has granted a decree of divorce dated 18.12.2023 to the parties, that is, the petitioner no.1 and the respondent no.2.
7. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer (IO), 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.
8. The learned counsel for the petitioners has handed over a Demand Draft of Rs. 1,50,000/- (Rupees One Lakhs and Fifty Thousand Only) to the respondent no.2 as per the terms of the Settlement.
9. I have perused the contents of the FIR and also the settlement between the parties.
10. Keeping in view the fact that the dispute arose between the



parties out of a matrimonial discord and that 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 the chances of its success would be rather minuscule and it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. 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.

12. Accordingly, the petition is allowed. FIR No. 0331/2016 registered at Police Station: Aman Vihar, Outer District, Delhi under Sections 498A/406/34 of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 22, 2024/rv/RP

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