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

+ **CRL.M.C. 2527/2024**

ARUN LAL & ORS.

..... Petitioners

Through: Mr.Hemant Pathak, Adv. along
with petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP with SI
Pravesh
Mr.Ranvir Vats, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

30.04.2024

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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.0016/2021 registered at Police Station: Mundka, 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.

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. He submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 20.11.2019 as per hindu rites and customs and no child is born from their wedlock.



3. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement on 10.11.2023 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.
4. Pursuant to the above settlement between the parties, they have obtained divorce by mutual consent vide Decree of Divorce dated 20.01.2024 passed by the Principal Judge, Family Courts, West District, Tis Hazari Courts, Delhi.
5. The learned counsel for the petitioners has handed over a sum of Rs.2.5 lakhs by way of Demand Draft to the respondent no.2, who appears in person in court and has been duly identified by the Investigating Officer (IO).
6. The respondent no.2 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. She submits that she has no objection if the present FIR is quashed.
7. I have perused the contents of the FIR and also the Settlement between the parties.
8. Keeping in view that 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.
9. 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.

10. Accordingly, the petition is allowed. FIR No.0016/2021 registered at Police Station: Mundka, Outer-District, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 30, 2024/ns/ss

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