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

+ **CRL.M.C. 1945/2022**

AFZAL HUSSAIN & ANR. Petitioners

Through: Mr.Deepak Chauhan,
Mr.Kamal Chauhan, Ms.Pooja
Chauhan, Advs.

versus

THE STATE & ANR. Respondents

Through: Ms.Priyanka Dalal, APP
alongwith SI Vijay Dutt.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.01.2024**

CRL.M.A. 34696/2023

1. This application has already been disposed of vide order dated 18.12.2023.

CRL.M.C. 1945/2022

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No. 177/2019, registered at Police Station Laxmi Nagar, Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom, on the basis of settlement.

3. I have interacted with the respondent no.2, who is present in person and duly identified by the IO – SI Vijay Dutt, and she affirms the contents of the aforesaid settlement.

4. The respondent no.2 insists that she does not wish to continue with the proceedings against the petitioners and has amicably settled the disputes with the petitioners, without any force or coercion, and



they have entered into a Memorandum of Settlement in January 2021.

5. Considering the fact that the parties have arrived at a settlement, I find that no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them and would be a burden on the State exchequer. Keeping in mind the facts of the present case and being guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303 and *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58, in the interest of justice, the present FIR and all proceeding emanating therefrom deserve to be quashed.

6. Accordingly, the petition is allowed and consequently FIR No. 177/2019, under Sections 498A/406/34 of IPC registered at Police Station: Laxmi Nagar, Delhi and all proceedings emanating therefrom against the petitioners are hereby quashed.

7. Parties shall abide by the terms of settlement.

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

NAVIN CHAWLA, J

JANUARY 5, 2024/Arya/am

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