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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2566/2024**
FATHEY KHAN & ORS. Petitioners
Through: **Mr.Rakesh Kumar Dhanda,**
Adv. (through VC)

versus

THE STATE (NCT OF DELHI) & ANR. Respondents
Through: **Mr.Satinder Singh Bawa, APP**
with SI Ajit Kumar and SI
Hukum Chand
Mr.Mehraj Chaudhary, Adv. for
R-2 along with R-2 (through
VC)

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **02.04.2024**

CRL.M.A. 9802/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2566/2024

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.639/2019 registered at Police Station: Mehrauli, South 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 a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP for



State and by Mr.Mehraj Chaudhary, learned counsel for the respondent no.2.

5. 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.

6. The learned counsel for the petitioners submits that the parties have amicably settled all their *inter se* disputes and have executed a settlement vide Compromise-Cum-Settlement Deed dated 15.07.2023.

7. The respondent no.2, who appears virtually and has been duly identified by the Investigating Officer (IO) states that the petitioner no.1 and the respondent no.2 are living together happily.

8. The respondent no.2 reaffirms 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 has no objection if the present FIR is quashed and she wants to live peacefully with the petitioner no.1.

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

10. Keeping in view the fact that the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled as they are living together happily, 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.

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.639/2019 registered at Police Station: Mehrauli, South 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 2, 2024/ns/AS

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