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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2600/2024**
BUNTY & ANR.

..... Petitioners

Through: Mr. Brahmanand Gupta,
Advocate along with Petitioners
in person.

versus

STATE THROUGH GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Shoaib Haider, APP for the
State along with SI Sumit
Dahiya, P.S. Aman Vihar.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
02.04.2024

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CRL.M.A. 9923/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 2600/2024

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.348/2009 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, based on a settlement.

3. Issue notice.

4. Notice is accepted by Mr. Shoaib Haider, learned APP and



respondent no.2, who is present in person.

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. He submits that the parties, that is, petitioners and respondent no.2 have amicably settled their *inter se* disputes vide Memorandum of Understanding dated 15th March, 2024, and as per the settlement, the parties are now residing together happily.

6. I have perused the terms of the settlement and find the same to be lawful.

7. The respondent no.2, who is present in Court virtually 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 is happily married and residing with the petitioner no.1 and does not want to pursue her complaint any further.

8. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the fact that the petitioner no.1 and the respondent no. 2 are now living together happily, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and 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.348/2009 registered at Police Station: Aman Vihar, Outer-District, 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 2, 2024/A/ss

Click here to check corrigendum, if any