



\$~72

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

+ **CRL.M.C. 2667/2024**

RAKESH SHARMA & ORS. Petitioners

Through: **Mr.Raj Kumar and Mr.Ayush
Gupta, Advs.**

versus

STATE & ANR. Respondents

Through: **Mr.Satinder Singh Bawa, APP
with SI Sandeep Singh, PS
Ghazipur
Respondent no.2 in person.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% 04.04.2024

CRL.M.A. 10152/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2667/2024

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.0300/2020 registered at Police Station: Ghazipur, Delhi under Sections 498A/406/506/34 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 the State and by the respondent no.2, who appears 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.

6. The learned counsel for the petitioners submits that the parties, that is, the petitioner no.1 and the respondent no.2 have amicably settled all their *inter se* disputes and have executed a settlement vide Settlement Deed dated 21.03.2023.

7. Pursuant to the above settlement, the parties have also obtained a Decree of Divorce dated 25.10.2023 from the learned Judge, Family Court, East District, Karkardooma Courts, Delhi, by which the parties have decided to part their ways by mutual consent.

8. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). She reaffirms that she has settled all the disputes with the petitioners out of her own free will and without any coercion. She states that she has received a Demand Draft of Rs. 6 Lacs from the petitioners as per the terms of the settlement. The respondent no.2 submits that she has no objection if the present FIR is quashed.

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

10. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, and that a Decree of Divorce has also been obtained by the parties pursuant to the settlement, 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 will be rather minuscule and 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.0300/2020 registered at Police Station: Ghazipur, Delhi under Sections 498A/406/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 4, 2024/ns/RP

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