



\$~55

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

+ **CRL.M.C. 2778/2024**

NEERAJ AND ORS

..... Petitioners

Through: Mr.Utkarsh Mathur, Mr.Vineet
Kalra, Advs. with petitioners.

versus

STATE NCT OF DELHI AND ORS. Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Rajnesh.

Mr.Harshit Kedawat, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **08.04.2024**

CRL.M.A. 10573/2024

1. For the reasons stated in the application, the delay of 15 days in re-filing is condoned.

2. The application stands disposed of.

CRL.M.C. 2778/2024

3. 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.577/2021 registered at Police Station: Neb Sarai, New Delhi, under Sections 498A/406/509/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, based on a settlement.

4. Issue notice.

5. Notice is accepted by Mr.Satinder Singh Bawa, the learned APP



and Mr.Harshit Kedawat, Advocate on behalf of the respondent no.2.

6. 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. She submits that the parties have amicably settled their *inter se* disputes and have entered into a Settlement dated 19.07.2023 before the Counselling Cell, Family Court, Saket (South), Delhi.

7. He submits that pursuant to the above settlement between the parties, the petitioner no.1 and respondent no.2 have been granted divorce by way of mutual consent from the learned Principal Judge, Family Court, Saket (South), Delhi vide Decree of Divorce dated 10.11.2023. He further submits that there is no child born from the said wedlock.

8. The respondent no.2, who is present in person in Court 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. She does not dispute that the parties have entered into settlement and she states that she does not have any objection if the present FIR is quashed.

9. The petitioners have handed over a Demand Draft of Rs.75,000/- to the respondent no.2 in Court in terms of the settlement.

10. I have perused the contents of the FIR as also the terms of the settlement between the parties.

11. As 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.

12. 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.

13. Accordingly, the petition is allowed. FIR No.577/2021 registered at Police Station: Neb Sarai, New Delhi, under Sections 498A/406/509/34 of the IPC, along with all the consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 8, 2024/Arya/am

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