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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2230/2022 & CRL.M.A. 2332/2023**
DEVENDER WALIA Petitioner
Through: Mr.Ankur Chawla, Adv.

versus

STATE OF DELHI AND ANR. Respondents
Through: Mr.Shoaib Haider, APP with SI
Chetan.
Mr.Prateek Goswami, Adv. for
R-2.
Mr.Ankur Chawla, Mr.Shivam
Tandon, Mr.Aamir Khan, Adv.
for R-3-4.
Mr.Jagjeet Singh in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
ORDER
09.04.2024

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1. 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.372/2019 registered at Police Station: Swaroop Nagar, Outer North District, Delhi, under Sections 498-A/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.
2. A copy of the settlement agreement dated 25.01.2020 executed between the parties before the Delhi Mediation Centre, Rohini District Courts, Delhi has been placed on record as Annexure P-2. In terms of the said settlement, the petitioner was to pay a sum of Rs.75,000/- to the respondent no.2 on or before 25.05.2020 before this Court while



expressing her no objection to the quashing of FIR in question.

3. On 23.02.2024, submission on behalf of the learned counsel for the petitioner was recorded to the effect that, unfortunately, the mother of the petitioner has expired and the father of the petitioner is in no position to make the balance payment to the respondent no.2 in terms of the settlement as the petitioner is in rehab.

4. The learned counsel for the respondent no.2 was directed to seek instructions on the future course of action.

5. The learned counsel for the respondent no.2 on instructions from Mr.Jagjeet Singh, the Special Power of Attorney holder of the respondent no.2 submits that as the parties have moved on with their lives, the respondent no.2 has no objection to getting the FIR in question, quashed. She also agrees to waive off her right to the balance settlement amount. This Court appreciates the conduct of the respondent no.2.

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

7. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, 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.

8. In view of the above developments and keeping 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.

9. Accordingly, the petition is allowed. FIR No.372/2019 registered at Police Station: Swaroop Nagar, Outer North District, Delhi, under Sections 498-A/406/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

10. The pending application is also disposed of.

NAVIN CHAWLA, J

APRIL 9, 2024
RN/AS

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