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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2241/2022**
SURJEET SINGH

..... Petitioner

Through: Mr.Shailendra Bhardwaj, Adv.
petitioner present in person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP.
SI Ramesh, PS Nihal Vihar.
Respondent no.2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
27.03.2024

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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.266/2012 registered at Police Station: Nihal Vihar, West-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 settlement.
2. The learned counsel for the petitioner submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner and the respondent no.2. He submits that the parties have amicably settled their *inter se* disputes and have entered into a Settlement Deed dated 06.05.2022.
3. The respondent no.2, who is present in Court in person and has



been duly identified by the Investigating Officer (IO), reaffirms the above-mentioned settlement and states that she has settled all the disputes with the petitioner out of her own free will and without any coercion. The respondent no.2 submits that she does not wish to pursue the proceedings emanating from the FIR any further and has no objection if the present FIR is quashed.

4. The learned counsel for the petitioner has handed over a Demand Draft of Rs. 1,75,000/- (Rupees One Lakh and Seventy Five Thousand Only) to the respondent no.2 as per the terms of the Settlement.

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

6. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, and that the respondent no.2 does not wish to pursue her complaint any further, as 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 as the chances of its success would be rather minuscule. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

7. 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.

8. Accordingly, the petition is allowed. FIR No.266/2012 registered at Police Station: Nihal Vihar, West-District, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MARCH 27, 2024/rv/ss

Click here to check corrigendum, if any