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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3161/2024**
LAKSHYA SETHI @ LAKSHAY SETHI & ORS.

..... Petitioners

Through: Mr.Mohit Kumar, Adv. with
petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Priyanka.
Dr.S.S. Tomar, Adv for R-2
with R-2 (through VC).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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25.04.2024

CRL.M.A. 12223/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3161/2024

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.153/2015 registered at Police Station: Shahdara, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 4 of the Dowry Prohibition Act, 1961, along with all other proceedings arising therefrom, on the basis of settlement.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, the learned APP for the State and Dr.S.S. Tomar, learned counsel for respondent no.2.



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 have amicably settled their *inter se* disputes and have entered into a settlement on 26.05.2015 before the Delhi Mediation Centre, Karkardooma Courts, Delhi. The marriage between the petitioner no.1 and respondent no.2 has already been dissolved *vide* decree dated 29.11.2016, passed by learned Principal Judge, Family Courts, Shahdara, Karkardooma Courts, Delhi.

6. The respondent no.2, who appears virtually 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 petitioners 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.

7. I have perused the contents of the FIR, the Settlement and considered the submissions made.

8. Keeping in view that the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, 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.

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.153/2015 registered at Police Station: Shahdara, Delhi under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, 1961, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 25, 2024/Arya

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