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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3164/2024**
MOHD JUNAID & ORS. Petitioners
Through: **Mr.Mohd Elahi & Mr.Saiful**
Islam, Advs
versus
THE STATE NCT OF DELHI & ANR. Respondents
Through: **Mr.Satinder Singh Bawa, APP**
with SI Vishwas.
Mr.Afroz Khan, Adv. for R-2
with R-2 (VC).

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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08.05.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of the FIR No. 0325/2020 registered at Police Station: Chandni Mahal, Central (Delhi) under Sections 498A/406/34 of the Indian Penal Code along with all the proceedings emanating therefrom, on the basis of settlement.
2. Affidavit of petitioner no.1 regarding securing the rights of the child has been filed. The petitioner no.1 is made bound by the same.
3. 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.3. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement/*khulanama* on 18.04.2023.
4. Respondent no.2, who appears virtually and has been duly identified by the Investigating Officer, 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. She



submits that she has no objection if the present FIR is quashed.

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

6. Keeping in view the fact 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.

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. 0325/2020 registered at Police Station: Chandni Mahal, Central (Delhi) under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 8, 2024/Arya/am

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