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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3109/2024**
NEERAJ KUMAR ROHILLA & ORS. Petitioners
Through: **Mr.Neeraj Dahiya, Mr.Girish Kumar, Advs.**

versus

THE STATE NCT OF DELHI THROUGH ITS SHO PS NAJAFGARH & ANR. Respondents
Through: **Mr.Satinder Singh Bawa, APP with WSI Neelu. Mr.Prashant Godara, Mr.Deepak Yadav, Advs. for R-2 along with R-2 in person.**

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
24.04.2024

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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.409/2021 registered at Police Station: Najafgarh, New 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 a settlement.
2. Issue notice.
3. Notice is accepted by Mr.Satinder Singh Bawa, learned APP and Mr.Prashant Godara, learned counsel for the respondent no.2.
4. 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, that is, the petitioner no.1 and the respondent no.2 have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Deed dated 09.06.2022. As per the terms of the settlement, the petitioner no.1 and the respondent no.2 have been granted divorce by mutual consent vide order dated 19.05.2023.

5. The respondent no.2 is present in person in Court and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

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

7. As the disputes between the parties arose out of a matrimonial discord, 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.

8. 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 3, 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. An amount of Rs.1 lac has been handed over to the respondent no.2 in cash in Court today by the petitioners.

10. Accordingly, the petition is allowed. FIR No.409/2021 registered at Police Station: Najafgarh, New Delhi, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 24, 2024
RN/RP

Click here to check corrigendum, if any