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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 3282/2024**

GAURAV SINGH & ORS. Petitioners

Through: **Md.Ikram, Adv.**

versus

STATE & ANR. Respondents

Through: **Mr. Shoaib Haider, APP with
SI Mayank Istwal, PS
Kalyanpuri.**

**Mr.Shashi Kant, Adv. for R-2
along with R-2 in person.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

29.04.2024

CRL.M.A. 12666/2024 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3282/2024

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.810/2022 registered at Police Station: Kalyanpuri, East District, Delhi under Sections 498A/323/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Shoaib Haider, learned APP, and Mr.Shashi Kant, learned counsel for the 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.

6. The learned counsel for the petitioners submits that the parties, that is, the petitioner no.1 and the respondent no.2, have amicably settled all their *inter se* disputes before a Counselling Cell vide Settlement dated 26.04.2023.

7. Pursuant to the above settlement, the parties have also been granted a Decree of Divorce dated 06.10.2023 by mutual consent passed by the learned Principal Judge, Family Courts, East District, Karkardooma Courts, Delhi.

8. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). She submits that she has received an amount of Rs.2 lacs in the form of FDR in the name of her minor child. She reaffirms 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 has no objection if the present FIR is quashed.

9. The petitioner no.1 has also filed an affidavit stating that the terms of the settlement between the parties shall not, in any manner, affect/prejudice the rights of the minor child born from the wedlock.

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

11. Keeping in view the fact that the disputes between the parties arose out of a matrimonial relationship and such disputes have been amicably settled, pursuant whereto the petitioner no.1 and the respondent no.2 have also been granted a Decree of Divorce by the learned Family Court and the fact that the respondent no.2 does not



wish to pursue her complaint any further, in my view, 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.

12. 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.

13. Accordingly, the petition is allowed. FIR No.810/2022 registered at Police Station: Kalyanpuri, East District, Delhi under Sections 498A/323/506/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 29, 2024

RN/AS

Click here to check corrigendum, if any