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

+ **CRL.M.C. 3297/2024**

SANJEEV MALIK & ORS.

..... Petitioners

Through: Mr.Neeraj Kumar, Adv. with
petitioners.

versus

STATE & ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Sandeep Kumar.
Mr.Pawan Dogra, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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29.04.2024

CRL.M.A. 12711/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3297/2024

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. 0109/2016 registered at Police Station: Karawal Nagar, Delhi under Sections 323/341/342/394/498A/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.Satinder Singh Bawa, the learned APP and by Mr.Pawan Dogra, Advocate on behalf of 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 have amicably settled all their *inter se* disputes and have executed a Settlement Deed dated 15.11.2023 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

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

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

9. Keeping in view the fact that the disputes between the parties arose out of a matrimonial relationship, and the fact that the respondent no.2 joins in the prayer of quashing of the subject FIR, as also the fact that respondent no.2 does not wish to pursue her complaint any further, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

10. 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.

11. Accordingly, the petition is allowed. FIR No. 0109/2016 registered at Police Station: Karawal Nagar, Delhi under Sections 323/341/342/394/498A/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 29, 2024/Arya

Click here to check corrigendum, if any