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

+ **W.P.(CRL) 1304/2024**

SH. SANJAY & ORS.

..... Petitioners

Through: Mr.Ashutosh Rana, Adv. with
petitioners in person.

versus

STATE (GNCTD) & ANR.

..... Respondents

Through: Mr.Sanjay Lao, SC(Crl),
Mr.Abhinav Kumar Arya,
Mr.Shivesh Kaushik, Adv.
with SI Mohan Lal.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **29.04.2024**

CRL.M.A. 12735/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 1304/2024

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. 314/2019 registered at Police Station: Sonia Vihar, 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.

3. Issue notice.

4. Notice is accepted by Mr.Sanjay Lao, SC (Crl.) on behalf of the State and by respondent no.2, who appears in person.

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 11.10.2021 and have started happily living together.

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 been living happily with the petitioner no.1. The respondent no.2 submits that 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 petitioner no.1 and the respondent no.2 are now residing together happily, 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. The continuation of the proceedings would rather act as a hindrance in the happy married life of the petitioner no.1 and the respondent no.2.

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. 314/2019 registered at Police Station: Sonia Vihar, Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

APRIL 29, 2024/Arya/am

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