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

+ **W.P.(CRL) 1338/2024**

AMIT PURI & ORS.

..... Petitioners

Through: Ms.Mrinali Bharti, Mr.manish
Shethari, Ms.Sanjana
Srivastava, Ms.Sakshi Panwar,
Advs.

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr.Sanjay Lao, SC(Crl),
Ms.Priyam Aggarwal,
Mr.Abhinav Kumar Arya,
Advs. with SI Pradeep
Chauhan.
Ms.Rosemary Raju, Ms.Gauri
Rajput, Advs. for R-2 with R-2
in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

01.05.2024

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1. This petition has been filed under Article 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 0016/2023 registered at Police Station: New Friends Colony, South East District, New Delhi under Sections 498A/406/509/34 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.Sanjay Lao, learned SC(CrI) and by Ms.Rosemary Raju, Advocate on behalf of 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.
5. 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 02.12.2023 and based thereupon the parties, that is, petitioner no.1 and the respondent no.2 obtained decree of divorce vide order dated 21.03.2023 by the learned Family Court, South East District, Saket Courts, New Delhi.
6. The respondent no.2, who is present in person in court 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.
7. The learned counsel for the petitioners has handed over a Demand Draft of Rs.15 lakhs to the respondent no.2 in Court.
8. I have perused the contents of the FIR and also the settlement between the parties.
9. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, a Decree of Divorce has also been passed by the learned family court pursuant to the above settlement, 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.

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. 0016/2023 registered at Police Station: New Friends Colony, South-East District, New Delhi under Sections 498A/406/509/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 1, 2024/Arya/ss

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