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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1349/2024 CRL.M.A. 13248/2024 CRL.M.A. 13249/2024**
RAJVIR

.....Petitioner

Through: Mr. Manoj Kumar Sharma, Advocate.
versus

THE STATE NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Yasir Rauf Ansar, ASC for State
with Mr. Alok Sharma, Mr. Vasu
Agarwal, Advocates for State with SI
Aarushi, PS: Rajouri Garden.
Mr. Rashid Ahmed, Advocate for R-2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
23.09.2024

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1. This petition has been filed seeking quashing of FIR no. 126/2024 registered at PS Rajouri Garden, Delhi under Sections 376/328/506 IPC basis no objection of respondent no.2 and the settlement deed dated 24th April, 2024.
2. Respondent no.2 present in Court duly identified by the IO and is also represented by her counsel. She states that the FIR had been registered on misapprehension because of discord between the petitioner and respondent no.2. She knew the petitioner prior to the incident and considering that she has been in the process of obtaining the *talaq* from existing husband, some issues arose. She states that oral *talaq* has already gone through, however, the legal aspects are still to be finalised. She states that she is living with the petitioner



for a few months now; petitioner who is present in Court also confirms the same.

3. ASC for State objects to the quashing of the said FIR basis the judgment of Coordinate Bench of this Court in *V.P. Singh v State and Another*, (2022) SCC OnLine Del 972. Counsel for petitioner relies on the decision of single Bench order in *Prem Kumar v The State & Ors* in W.P (C RL) 2869/2023 dated 30th January, 2024.

4. However, considering the peculiar facts and circumstances that issues arose out of a relationship between the parties, and subsequent discord, and now the matter is settled and the parties are living with each other finally, in the opinion of this Court, that no purpose would be served to continue with the proceedings further.

11. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Consequently, the FIR No. 126/2024 under Sections 376/328/506 IPC registered at PS Rajouri Garden, Delhi and proceedings emanating therefrom are quashed.

12. Parties shall abide by the terms of settlement.

13. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

14. Order be uploaded on the website of this Court.

ANISH DAYAL, J

SEPTEMBER 23, 2024/RK