



\$~13

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

+ **CRL.M.C. 3189/2022**

SH. BALWANT RAI MALHOTRA AND OTHERS

..... Petitioners

Through: Ms.Pooja Sarwal, Adv.
Petitioners present in person.

versus

THE STATE NCT OF DELHI AND ANR. Respondents

Through: Mr.Satinder Singh Bawa, APP.
SI Manish, PS Welcome.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **01.03.2024**

1. 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. 367/2015 registered at Police Station: Welcome, North-East District, Delhi under Sections 498A/406/506/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 4 of Dowry Prohibition Act, 1961 (in short, 'DP Act') along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submits that the dispute between the parties arose out of matrimonial discord between the respondent no.2 and Mr.Sunil Kumar Malhotra, who is stated to be a relative of the petitioners. He further submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 04.01.2021.

3. The learned counsel for respondent no.2 does not deny that the entire payment has been received by the respondent no.2 under the



terms of the settlement.

4. The affidavit on behalf of respondent no.2 is also on record wherein she reaffirms the settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion and states that she has no objection if the present FIR is quashed.

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

6. Keeping in view the fact that the petitioner nos.1 and 2 are senior citizens and the disputes between the parties arose out of a matrimonial dispute and that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, 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.

7. 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.

8. Accordingly, the petition is allowed. FIR No. 367/2015



registered at Police Station: Welcome, North-East District, Delhi under Sections 498A/406/506/34 of IPC and Section 4 of DP Act, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 1, 2024/rv/AS

Click here to check corrigendum, if any