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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3757/2024**
RAMAN SHARMA & ORS. Petitioners

Through: Mr.Anurag Nasiar, Mr.Manoj Chauhan, Ms.Bhavna Singh, Mr.Ashish Mishra, Ms.Divya Rao and Mr.Abhimanyu Narula, Advs.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Shoaib Haider, APP with SI Krishan , PS Rajouri Garden
Mr.Rachit Khandelwal,
Ms.Sonia Khandelwal, Mohd. Kaleem Khan, Mohd. Hashim Chauhan and Ms.Maleeni, Advs. for R-2
Respondent no.2 in person (through VC)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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09.05.2024

CRL.M.A. 14387/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3757/2024

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.0787/2016 registered at Police Station: Rajouri Garden, 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 settlement.



3. Issue notice.
4. Notice is accepted by Mr.Shoaib Haider, learned APP for the respondent no.1 and by Mr.Rachit Khandelwal, Advocate for the 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. He further states that no child is born from the wedlock of the petitioner no.1 and the respondent no.2.
6. He submits that the parties have amicably settled their *inter se* disputes. The respondent no.2 has filed her affidavit affirming the settlement between them. The marriage between the petitioner no.1 and respondent no.2 has already been dissolved vide Decree of Divorce dated 21.05.2018, passed by learned Judge, Family Court, South East District, Saket Courts, New Delhi.
7. The respondent no.2, who appears virtually and has been duly identified by the Investigating Officer (IO), reaffirms the above-mentioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion and has received all amounts in terms of the settlement. She further submits that post the divorce, she has also moved on in her life and that she has no objection if the present FIR is quashed.
8. I have perused the contents of the FIR, Charge Sheet 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 now the same have been



amicably settled, a Decree of Divorce has also been passed by the learned Family Court, 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.0787/2016 registered at Police Station: Rajouri Garden, West District, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 9, 2024/ns/am

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