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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3799/2024**

DULI CHAND @ DEVENDER & ORS. Petitioners
Through: **Mr.Yogesh Gupta, Adv. With**
Petitioner nos.1,2,3 in person

versus

THE STATE & ANR. Respondents
Through: **Ms.Priyanka Dalal, APP with**
SI Satyender Gulia.
Mr.Hem C.Vashisht, Mr.Ayush
Kaushik, Advs. for the
complainant / R-2 along with
complainant in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
10.05.2024

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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.413/2018 registered at Police Station: Kotla Mubarakpur, 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.
2. Issue notice.
3. Notice is accepted by Ms.Priyanka Dalal, learned APP for the State and Mr.Hem C.Vashisht, learned counsel for the respondent no.2.
4. The learned counsel for the petitioner 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 submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement dated 16.09.2022 before the Mediation Centre, Saket Courts, Delhi.

5. The marriage between the petitioner no.1 and respondent no.2 has already been dissolved *vide* Decree of Divorce dated 24.05.2023 passed by learned Judge, Family Court-02, South East Distt., Saket Courts, Delhi.

6. The learned counsel for the petitioners has handed over a Demand Draft of a sum of Rs.2,00,000/- to the respondent no.2.

7. Respondent no.2, who appears in person 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. She 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 now the same have been amicably settled, a Decree of Divorce has also been granted 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.413/2018 registered at Police Station: Kotla Mubarakpur, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 10, 2024

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