



\$~33

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

+ CRL.M.C. 3671/2022

SATVIR SATVIR

..... Petitioner

Through: Dr.N.C.Sharma, Mr.Ajay
Sharma, Advs.

versus

THE STATE & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP with SI
Sandeep Yadav.

Mr.Ranjan Kumar, Mr.Govil
Upadhyay, Mr.Kapil Yadav,
Advs. for R-2.

R-2 is present through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

25.04.2024

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.80/2010 registered at Police Station: Palam Village, South-West District, New Delhi, under Section 498A/406 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. 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 and the respondent no.2.
3. He submits that the parties, that is, the petitioner and the respondent no.2 have amicably settled their *inter se* disputes and have entered into a compromise / settlement agreement dated



02.11.2018 before the Counselling Cell, Family Courts, Dwarka Court, Delhi.

4. The learned Counsel for the petitioner submits that pursuant to the above settlement, the parties have obtained divorce by mutual consent vide Decree of Divorce dated 01.06.2019 passed by the learned Judge, Family Courts, Dwarka Courts, Delhi.
5. Mr.Ramphal, father of the petitioner as also the Power of Attorney holder of the petitioner is present in Court. He hands over a demand draft for a sum of Rs.20 lakhs and a cheque for Rs.1,80,000/- in addition thereto to the learned counsel for the Respondent no.2. Mr.Ramphal also undertakes that the cheque shall be duly honored on its presentation.
6. The respondent no.2 is present in court virtually and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that she has settled all the disputes with the petitioner of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.
7. I have perused the contents of the FIR and also the settlement between the parties.
8. As the disputes between the parties arose out of a matrimonial discord, and now the same have been amicably settled, a decree of divorce has also been passed by the 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.

9. 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.
10. Accordingly, the petition is allowed. FIR No.80/2010, registered with police station: Palam Village, South-West District, New Delhi, under Section 498A/406 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

APRIL 25, 2024

RN/ss

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