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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3808/2022**
SANDEEP LUTHRA & ORS.

..... Petitioners

Through: Mr.Rahul Tanwar &
Mr.Vijayendra Pratap, Advs.
Petitioners present in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Dhananjay Gupta, PS
Rajouri Garden.
Mr.Rajat Gulati, Adv. for R-2.
Respondent no.2 present in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.03.2024

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. 0685/2017 registered at Police Station: Rajouri Garden, West-District, 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.
2. 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.
3. He submits that the parties have amicably settled their *inter se*



disputes and petitioners and respondent no.2 have entered into settlement vide Settlement Deed dated 20.12.2021 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.

4. Pursuant to the above-mentioned settlement, the learned Principal Judge, West-District, Tis Hazari Courts, New Delhi has granted a Decree Of Divorce dated 02.06.2022 to the parties, that is, the petitioner no.1 and the respondent no.2.

5. The respondent no.2 is present in person in court today and has been duly identified by the Investigating Officer (IO). The Respondent no.2 reaffirms the abovementioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she does not wish to pursue the proceedings emanating from the FIR any further and has no objection if the present FIR is quashed.

6. I have perused the contents of the FIR and considered the submissions made.

7. As 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 pursuant to the settlement, 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.

8. 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.

9. Accordingly, the petition is allowed. FIR No.0685/2017 registered at Police Station: Rajouri Garden, West-District, Delhi under Sections 498A/406/34 of IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 20, 2024/rv/ss

Click here to check corrigendum, if any