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

+ **W.P.(CRL) 1652/2024**

SMT SWATI MAHENDRU & ORS. Petitioners

Through: **Mr.Ajay Burman, Sr. Adv. with
Ms.Anita Burman, Advs.**

versus

THE STATE THROUGH NCT OF DELHI & ORS.

..... Respondents

Through: **Mr.Yasir Rauf Ansari, ASC
with Mr.V.Gupta, Mr.Ankush
Kumar, Mr.Sajan, Mr.Mohit,
Advs. for the State with SI
Virender Kumar.**

**Ms.Ishita Kadyan, Ms.Muskan
Aggarwal, Advs. for R-2-3 with
R-2 and 3 in person.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **22.05.2024**

CRL.M.A. 16116/2024 (exemption)

1. Allowed, subject to all just exception.

W.P.(CRL) 1652/2024 & CRL.M.A. 16115/2024

2. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.988/2022 registered at Police Station: Model Town, under Sections 448/451/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.



3. Issue notice.
4. Notice is accepted by Mr.Yasir Rauf Ansari and Ms.Ishita Kadyan, learned counsels for the respondent no.1 and respondent nos.2 and 3, respectively.
5. The learned counsel for the petitioners submits that the subject FIR was the outcome of a family dispute, resulting in filing of civil Suit as well. The parties have amicably settled their disputes.
6. The learned counsel for the petitioners submits that the parties, that is, the petitioners and the respondent nos.2 and 3, have amicably settled all their *inter se* disputes before a Counselling Cell vide Settlement dated 29.01.2024 and memorandum of understanding dated 23.04.2024.
7. The respondent no.2 and 3 are present in person and have been duly identified by the Investigating Officer (IO).
8. The respondent nos.2 and 3 affirm the settlement and state that they have settled all the disputes with the petitioners of their own free will and without any coercion. The respondent nos.2 and 3 submit that they have no objection if the present FIR is quashed.
9. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.
10. As the disputes between the parties arose out of a family dispute and now the same have been amicably settled, and a settlement agreement has also been executed between the parties 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.

11. Guided by the principles enunciated by the Supreme Court in its judgments in *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.

12. Accordingly, the petition is allowed. FIR No.988/2022 registered at Police Station: Model Town, under Sections 448/451/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 22, 2024
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[Click here to check corrigendum, if any](#)