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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4099/2022**
RAHUL SINGH VAIDHYA & ORS.

..... Petitioners

Through: Mr.Nischal Sharma, Adv.
Petitioners present in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI S.Kumar Jha, PS Ambedkar
Nagar.
Respondent no.2 present in
person (through VC).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **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. 642/2018 registered at Police Station: Ambedkar Nagar, South 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 a settlement vide Memorandum of Understanding dated 06.04.2022.



4. Pursuant to the above-mentioned settlement, the learned Judge, Family Courts, South-East District, Saket Courts, New Delhi has granted a Decree of Divorce dated 24.05.2022 to the parties, that is, the petitioner no.1 and the respondent no.2.

5. The respondent no.2 is present in person (through VC) 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. Keeping in view the fact that disputes between the parties arose out of a matrimonial relationship and the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties and the fact that a Decree of Divorce has already been granted by the learned Family Court pursuant to the settlement, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and 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. 642/2018 registered at Police Station: Ambedkar Nagar, South 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/AS

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