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

+ **CRL.M.C. 4470/2024**

GAZALA PARVEEN @ GAJOLA & ORS.

..... Petitioners

Through: Mr.Faisal Mohammed, Adv.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP. along
with SI Priyanta, PS Jahangir
Puri.

Ms.Simran Chawla &
Mr.Deevanshu Sharma, Advs.
for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **28.05.2024**

CRL.M.A. 16912/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4470/2024 & CRL.M.A. 16911/2024

2. 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. 161/2003 registered at Police Station: Jahangir Puri, 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.

3. Issue notice.

4. Notice is accepted by Mr.Shoaib Haider, learned APP on behalf of the State and Ms.Simran Chawla, learned counsel on behalf of



respondent no.2.

5. The learned counsel for the petitioner submits that the subject FIR was an offshoot of the matrimonial discord between the parties.

6. He submits that the parties have amicably settled their *inter se* disputes and have entered into a Compromise Deed dated 14.01.2023.

7. The respondent no.2, who is personally present in Court 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. 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.

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

9. Keeping in view the fact that the disputes between the parties arose out of matrimonial issues and such disputes have been amicably settled by way of the Compromise Deed dated 14.01.2023, in my view, 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 *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. 161/2003 registered at Police Station: Jahangir Puri, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 28, 2024/rv/am

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