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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4832/2024**

VISHAL KUMAR PANDEY Petitioner
Through: **Mr.Ramesh Chandra, Adv.**

versus

THE STATE, SHO, ASHOK VIHAR AND ANR.

..... Respondents

Through: **Mr. Shoaib Haider, APP with**
SI Monika Rawat.
Mr.A.K. Pandey, Adv. for R-2
& 3 with R-2 & 3 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **31.05.2024**
CRL.M.A. 18052/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4832/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the in FIR No.146/2010 registered at Police Station: Ashok Vihar, Delhi under Sections 506/509/385 of the Indian Penal Code, 1860 (in short, 'IPC'), and Section 67 of the Information Technology Act, 2000 (in short, 'IT Act') (later Section 385 of the IPC and Section 67 of the IT Act were dropped) along with all other proceedings arising therefrom, on the basis of settlement.

3. Issue notice.

4. Notice is accepted by Mr. Shoaib Haider, the learned APP and



Mr.A.K. Pandey, Advocate on behalf of the respondent nos.2 and 3.

5. The learned counsel for the petitioner submits that the subject FIR arose out of petty differences.

6. He submits that due to intervention of family and friends, the parties have amicably settled their *inter se* disputes and the parties that is the petitioner and the respondent no.2 have since gotten married and are residing together happily.

7. The respondent nos.2 and 3, who are present in court in person, have been duly identified by the Investigating Officer (IO), reaffirm the above-mentioned settlement and state that they have settled all their disputes with the petitioner out of their own free will and without any coercion and do not wish to pursue their complaint against the petitioner. They submit that they have no objection if the present FIR is quashed.

8. I have perused the contents of the FIR and also interacted with the parties.

9. As the disputes between the parties arose out of petty differences, and now the same have been amicably settled and the petitioner and the respondent no.2 are married and have decided to reside together, 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. The continuation of the proceedings would rather act as a hindrance in the happy married life of the petitioner no.1 and the respondent no.2.



10. 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.

11. Accordingly, the petition is allowed. FIR No.146/2010 registered at Police Station: Ashok Vihar, Delhi under Sections 506/509 of the IPC alongwith all the consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MAY 31, 2024/Arya

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