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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4676/2022 & CRL.M.A. 18930/2022
SHER SINGH NEGI & ORS. Petitioners
Through: Mr.Krishna Yadav, Mr.Priank
Adhyaru, Mr.Sahil Patel, Advs.

versus

THE STATE OF NCT & ANR. Respondents
Through: Mr.Satinder Singh Bawa, APP
with SI Rajkumar.
Dr.Sarbjit Sharma, Ms.Himani
Rawat, Mr.Vishnu Malik,
Ms.Akanksha, Advs. for R-2
along with R-2 in person

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
09.05.2024

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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.190/2022 registered at Police Station: Sarita Vihar, South-East District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom.
2. Issue notice.
3. Notice is accepted by Mr.Satinder Singh Bawa, learned APP, and Dr.Sarbjit Sharma, learned counsel for the respondent no.2.
4. 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. He submits that



the parties, that is, the petitioner no.1 and the respondent no.2, have amicably settled all their *inter se* disputes vide Memorandum of Settlement dated 01.02.2024.

5. The marriage between the petitioner no. 1 and respondent no.2 has already been dissolved vide Decree of Divorce dated 26.04.2024, passed by learned Judge, Family Court-02, South-East District, Saket Courts, New Delhi.

6. The learned counsel for the petitioners has also handed over a Demand Draft of Rs.1,00,000/- to the respondent no.2, who appears in person and has been duly identified by the IO, in terms of the abovementioned Settlement.

7. The respondent no.2 also 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. She submits that she has no objection if the present FIR is quashed.

8. I have perused the contents of the FIR and also the settlement between the parties.

9. Keeping in view the fact that 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, 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.

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.190/2022 registered at Police Station: Sarita Vihar, South-East District, Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

12. The pending application is also disposed of being rendered infructuous.

NAVIN CHAWLA, J

MAY 9, 2024

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