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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5252/2022**
RAKESH KUMAR @ RAJESH

..... Petitioner

Through: Mr.H.N. Pandey, Adv. along
with petitioner in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP with SI
Punit Kumar
Respondent no.2 through VC.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
29.05.2024

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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.344/2016 registered at Police Station: Shahbad Dairy, 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 a settlement.
2. The learned counsel for the petitioner submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner and the respondent no.2.
3. He submits that the parties have amicably settled their *inter se* disputes and they have filed their respective affidavits affirming the settlement between them.



4. Though the parties have not obtained the valid decree of divorce, the respondent no.2, who appears virtually in Court and has been duly identified by the Investigating Officer (IO), submits that she has settled the disputes with the petitioner out of her own free will and has moved on with her life and she does not wish to pursue her complaint and the present FIR any further. She further states that she has no objection if the present FIR is quashed.

5. I have perused the contents of the FIR and have interacted with the respondent no.2.

6. 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, 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.

7. 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.

8. Accordingly, the petition is allowed. FIR No.344/2016



registered at Police Station: Shahbad Dairy, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioner are quashed.

MAY 29, 2024/ns/am

NAVIN CHAWLA, J

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