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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5269/2022**

ANISH MIYAN AND ORS

..... Petitioners

Through: Mr.Rajesh Kumar, Mr.Vikas
Sharma, Advs. along with P-1
in person.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Manish Tyagi.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **18.03.2024**

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.440/2014 registered at Police Station: Govindpuri, 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. Issue notice.

3. Notice is accepted by Mr.Satinder Singh Bawa, learned APP for the State and the respondent no.2, who is present in Court in person.

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.



5. The learned counsel for the petitioners submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement dated 27.04.2018.

6. The respondent no.2, who is present in person in Court and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

7. A Demand Draft of an amount of Rs.1,25,000/- (Rupees One Lakh Twenty-Five Thousand Only) has been handed over to the respondent no.2 by the petitioner no.1 in the Court today.

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

9. As 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.

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.440/2014 registered at Police Station: Govindpuri, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 18, 2024
RN/am

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