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

(38) CRL.M.C. 5264/2022

(39)+ CRL.M.C. 5293/2022

PRAVEEN KUMAR & ORS.

..... Petitioners

Through: Mr.Lav Dhawan and Mr.Harish
Kumar, Advs. (through VC)

versus

THE STATE (GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
Insp. Naveen Kumar, PS
Samaypur Badli and SI Aashish
Malik, PS South Rohini

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
22.03.2024

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1. These petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.424/2010 registered at Police Station: Samaypur Badli, Outer-District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') and FIR No.36/2010 registered at Police Station: South Rohini, Outer-District, Delhi under Sections 356/354/506/323/34 of the IPC, along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submits that the subject FIRs were an offshoot of the matrimonial discord between the parties, that is, the petitioner no.1 and the respondent no.2.



3. The learned counsel for the petitioners submits that the petitioners and the respondent no.2 have amicably settled all their *inter se* disputes before Delhi Mediation Centre, Rohini District Courts, Delhi vide Settlement/Agreement dated 27.01.2018.
4. Pursuant to the above settlement, the parties have also obtained a Decree of Divorce dated 15.12.2018, by which the parties have decided to part their ways by mutual consent.
5. The respondent no.2 is present in person in court and has been duly identified by the Investigating Officers (IO). She submits that all the amounts in terms of the settlement have been received by her.
6. The respondent no.2 affirms 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 FIRs are quashed.
7. I have perused the contents of the FIRs, Charge Sheet and also the settlement between the parties.
8. As 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 pursuant to the settlement, 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 FIRs alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.
9. 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.

10. Accordingly, the petitions are allowed. FIR No.424/2010 registered at Police Station: Samaypur Badli, Outer-District, Delhi under Sections 498A/406/34 of the IPC and FIR No.36/2010 registered at Police Station: South Rohini, Outer-District, Delhi under Sections 356/354/506/323/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 22, 2024/ns/ss

Click here to check corrigendum, if any