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

+ **CRL.M.C. 5323/2022**

SH TARUN JUNEJA & ORS.

..... Petitioners

Through: Mr.Vineet Kaushik, Adv.
Petitioners present in person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Shoaib Haider, APP.
SI Lokendra Singh, PS
Mehrauli South District.
Dr. Ram Avtar Sharma, Adv.
for R-2.
Respondent no.2 present
through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

20.03.2024

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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.0169/2016 registered at Police Station: Mehrauli, South-District, 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 settlement.
2. 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.
3. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement agreement dated 05.09.2016 before the Mediation Centre, Saket Courts, New Delhi.



4. Pursuant to the abovementioned settlement, the learned Family Court has granted Divorce by mutual consent to the petitioner no.1 and respondent no.2 vide Decree of Divorce dated 04.05.2017.

5. The respondent no.2, who is present in court through VC and has been duly identified by the Investigating Officer (IO), 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. The respondent no.2 submits that she does not wish to pursue the proceedings emanating from the FIR any further and has no objection if the present FIR is quashed.

6. I have perused the contents of the FIR, Charge-Sheet and also the settlement between the parties.

7. 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 FIR alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

8. 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.

9. Accordingly, the petition is allowed. FIR No.0169/2016 registered at Police Station: Mehrauli, South-District, Delhi under Sections 498A/406/34 of the IPC, and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 20, 2024/rv/ss

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