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

+ **CRL.M.C. 5537/2022 & CRL.M.A. 21988/2022**

SHASHI BHUSHAN

..... Petitioner

Through: Mr.Ashok K. Singh, Ms.Ankita
Baluni, Ms.Vrinda Dhoot, Advs

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Aman Usman, APP with SI
Anjai Tomar.

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.03.2024

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. 115/2021 registered at Police Station: Farsh Bazar, Shahdara District, Delhi under Sections 376/377/323/506 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 got lodged due to some misunderstanding between the petitioner and the respondent no.2 and is an offshoot of the matrimonial discord between the parties, that is, the petitioner and the respondent no. 2.
3. The learned counsel for the petitioner submits that the parties have amicably settled all their *inter se* disputes and are happily living together along with their daughter.
4. The respondent no.2, who is personally present in Court and has



been duly identified by the Investigating Officer (IO), reaffirms that she has settled all the disputes with the petitioners out of her own free will and without any coercion and is living together happily with the petitioner. The respondent no.2 submits that she has no objection if the present FIR is quashed.

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

6. Keeping in view the fact that the disputes between the parties arose out of a matrimonial relationship, and the fact that the petitioner and the respondent no.2 are residing together happily, as also the fact that respondent no.2 does not wish to pursue her complaint any further, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer. The continuation of the proceedings would rather act as a hindrance in the happy married life of the petitioner and the respondent no.2.

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. 115/2021 registered at Police Station: Farsh Bazar, Shahdara District, Delhi under Sections 376/377/323/506 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

9. The pending application is also disposed of as being rendered infructuous.

NAVIN CHAWLA, J

MARCH 22, 2024/Arya/AS

Click here to check corrigendum, if any