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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5634/2022 & CRL.M.A. 22228/2022
SH. BEYANT SINGH & ORS. Petitioners
Through: Mr.Raghav Kapoor, Adv.

versus

STATE & ANR. Respondents
Through: Ms.Priyanka Dalal, APP with
SI Gunjan Sirohi.
Mr.Sourabh Aggarwal, Adv. for
R-2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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05.02.2024

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.501/2016 registered at Police Station: Rajouri Garden, West 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 FIR was an offshoot of the matrimonial discord between the parties, that is, petitioner no.1 and the respondent no.2. He submits that the parties resolved their *inter se* disputes and have entered into an amicable settlement on 28.11.2019 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi. He submits that in furtherance of the abovementioned settlement agreement, the marriage between the petitioner no.1 and the respondent no.2 has been



dissolved by the learned Family Court vide decree of divorce dated 05.05.2022 passed on mutual consent.

3. The respondent no.2 is personally present in the Court and is duly identified by the IO. She re-affirms the above settlement. She submits that divorce has already taken place between her and the petitioner no.1 and that she has no objection if the proceedings emanating from the present FIR are quashed.
4. I have perused the contents of the FIR and also the settlement between parties
5. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, 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.
6. 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 3, 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.
7. Accordingly, the petition is allowed. Consequently, the FIR



No.501/2016 registered at Police Station: Rajouri Garden, West District, Delhi under Sections 498A/406/34 of the IPC along with all other proceedings arising therefrom against the petitioners, are quashed.

8. Parties shall abide by the terms of the aforesaid settlement.
9. The petition is disposed of in the above terms. The pending application is disposed of as infructuous.

NAVIN CHAWLA, J

FEBRUARY 5, 2024
RN/AS

Click here to check corrigendum, if any