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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5838/2022**
MONU & ANR. Petitioners

Through: Mr.Pawan Sharma, Adv.

versus

STATE OF NCT OF DELHI AND ANR. Respondents
Through: Mr. Shoaib Haider, APP with
Insp.Vikas Malik.
Ms.Shivani Taneja, Adv. for R-
2 with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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15.03.2024

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.04/2020 registered at Police Station: Mansarovar Park, Delhi, under Sections 498A/406/506/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, based on a settlement.
2. Issue Notice
3. Notice is accepted by Mr. Shoaib Haider, learned APP for the respondent no.1 and Ms. Shivani Taneja, learned counsel for respondent no.2.
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 pursuant to the



settlement, the petitioner no.1 and respondent no.2 have obtained a decree of divorce by way of mutual consent by the learned Family Court vide order dated 28.10.2021.

6. The learned counsels for the petitioners and the respondent no.2, submit that no child was born from the wedlock of the petitioner no.1 and the respondent no.2.

7. The respondent no.2, who is present in Court and duly identified by the Investigating Officer, re-affirms the 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 have any objection if the present FIR is quashed.

8. The learned counsel for the petitioners has handed over a sum of Rs.50,000 to Respondent no.2 in cash as per the terms of the settlement.

9. I have perused the contents of the FIR and also the decree sheet.

10. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably resolved, and the fact that a Decree of Divorce has already been granted 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 as it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. 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.

12. Accordingly, the petition is allowed. FIR No.04/2020 registered at Police Station: Mansarovar Park, Delhi, under Sections 498A/406/506/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 15, 2024/Arya/am

Click here to check corrigendum, if any