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

+ CRL.M.C. 5915/2022 & CRL.M.A. 23219/2022
PAWAN CHHETRI

..... Petitioner

Through: Mr.Pardeep Khatri, Mr.Amit
Rana, Mr.Divyanshu, Mr.Aman
Awasthi and Mr.Rishu, Advs.
Petitioner in person (through
VC)

versus

STATE GNCT OF DELHI AND ANR

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Nisha
Mr.Pranjal Kr. Bhaskar and
Ms.Nishtha Mittal, Advs. for R-
2.
R-2 in person (through VC).

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
12.02.2024

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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. 559/2022 registered at Police Station: Palam Village, South-West District, Delhi under Sections 376/323 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom.

2. The learned counsel for the petitioner submits that after filing of



the subject FIR, the parties, that is, the petitioner and the respondent no.2 have married each other on 22.09.2022. He submits that the parties have amicably settled their *inter se* disputes.

3. The respondent no.2, who is present in Court (through VC) and has been duly identified by the learned counsel for the petitioner as also by the Investigating Officer (IO), reaffirms that she has settled all the disputes with the petitioner of her own free will and without any coercion and has married the petitioner. The respondent no.2 submits that she has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and certificate of marriage between the petitioner and the respondent no.2, and considered the submissions made.

5. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the fact that the petitioner and respondent no.2 have married each other, 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 ***Kapil Gupta v. State (NCT of Delhi)***, 2022 SCC OnLine SC 1030, ***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. FIR No. 559/2022 registered with Police Station: Palam Village, South-West District, Delhi under Sections 376/323 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

8. The petition along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 12, 2024/ns/AS

Click here to check corrigendum, if any