



\$~53 & 54

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

(53)+ CRL.M.C. 5921/2022

(54) CRL.M.C. 5922/2022

FAIM

..... Petitioner

Through: Ms.S.Parveen, Adv.

versus

THE STATE & ORS.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
Insp. Dinesh Chandra.
R-2-3 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.02.2024**

1. These petitions have been filed by the applicant under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.428/2017 registered at Police Station: Khajuri Khas, North-East District, Delhi under Section 363 of the Indian Penal Code, 1860 (in short, 'IPC'); and FIR No.539/2017 registered at Police Station: Khajuri Khas, North-East District, Delhi under Section 363 of the IPC (Later on, Section 376 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 were also invoked), along with all other proceedings arising therefrom, on the basis of settlement.

2. The learned counsel for the petitioner submits that the parties have amicably settled their *inter se* disputes and the applicant and the victim got married on 17.11.2017 and are also blessed with two children. The complainants/respondent no.2 in both matters, that is,



the mother and brother of the victim are present in Court and have been duly identified by the Investigating Officer (IO). They reaffirm the settlement and state that they have settled all the *inter se* disputes with the petitioner out of their own free will and without any coercion. They submit that they do not wish to pursue the proceedings emanating from the said FIRs any further and have no objection if the present FIRs are quashed.

3. I have perused the contents of the FIRs and also the settlement between the parties.

4. Keeping in view the fact that the Complainants do not wish to pursue their complaints 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 FIRs 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.

5. 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, and by this Court in *Ajay Kumar v. State (NCT of Delhi) & Anr.* (2022) 6 High Court Cases (Del) 530, 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 FIRs and all the proceedings emanating therefrom.

6. Accordingly, the petitions are allowed. FIR No.428/2017 and FIR No.539/2017 both registered at Police Station: Khajuri Khas, North-East District, Delhi along with all other proceedings arising therefrom against the petitioner are quashed.

7. The petitions are disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 5, 2024

RN/AS

Click here to check corrigendum, if any