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

+ **CRL.M.C. 3717/2022**

JATIN GUPTA

..... Petitioner

Through: **Mr.Joginder Rana, Mr.Sushil Kr.
Singh, Advs.**

versus

THE STATE & ANR.

..... Respondents

Through: **Mr.Aman Usman, APP with SI
Amit, WSI Nidhi.
Ms.Karuna Gahlaut, Ms.Tehseen
Siddiqui Bora, Advs. for R-2
with R-2.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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07.02.2024

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. 368/2020 registered at Police Station: Laxmi Nagar, East, Delhi under Sections 376/377/384/506 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom.
2. The respondent no.2, who is present in person, duly identified by the Investigating Officer (IO), submits that since the registration of the FIR the petitioner has been married with the respondent no.2 and they are living happily. She submits that she does not wish the prosecution to continue.
3. On the other hand, the learned APP for the State points out that another FIR being FIR No.0143/2020 registered at Police Station: Sushant Lok, Gurugram under Section 120B/408/420 of the IPC registered against the respondent no.2 herein with the allegation that the



respondent no.2 had misappropriated the money belonging to the employer and hand it over to the petitioner.

4. In my view, as far as the said FIR is concerned, as the parties are stated to be now happily married and living together. I find that no useful purpose will be served in continuing with the proceedings of the above FIR; it would rather create further acrimony between the parties and would be an unnecessary burden on the state exchequer.

5. Guided by the principles enunciated by the Supreme Court in its judgments in *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335; *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58; and *Kapil Gupta v. State (NCT of Delhi)*, 2022 SCC OnLine SC 1030, and of this court in *Prem Kumar v. The State & Ors.* Neutral Citation 2024:DHC:621, 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.

6. Accordingly, the petition is allowed. Consequently, the FIR No. 368/2020 registered at Police Station: Laxmi Nagar, Delhi under Sections 376/377/384/506 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

7. As far as the other FIR that has been mentioned by the APP for the State is concerned, the present order shall have no effect on the investigation or trial of the said FIR.

8. With this above clarification, the petition is disposed of.

NAVIN CHAWLA, J

FEBRUARY 7, 2024/Arya/RP

Click here to check corrigendum, if any