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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6196/2022**
KAMAL KANT Petitioner

Through: Mr.Saurab Kajpal, Mr.Siddhant
Singh, Mr.Akash Kumar,
Mr.Vinay Kumar Singh, Advs.

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Mr.S.S.Bawa, APP with SI
Vineet Kumar.
Mr.Nitin Saluja, Mr.Sanskriti
Bansal, Advs. for R-2 along
with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
08.02.2024

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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.268/2015 registered at Police Station: Neb Sarai, South District, New Delhi, under Section 498A 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 subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner and the respondent no.2. He submits that the parties have amicably settled their *inter se* disputes and are residing together, happily.
3. The respondent no.2, who is personally present in Court and has



been duly identified by the Investigating Officer (IO), reaffirms that the disputes with her husband have been amicably settled by her with him, out of her own free will and without any coercion. The respondent no.2 submits that she does not wish to proceed with the proceedings of the present FIR and has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and also the settlement between parties, that is petitioner and the respondent no.2.

5. Keeping in view the fact that the petitioner and the respondent no.2 are happily married and are living together happily, I find that no useful purpose will be served in continuing with the proceedings of the above 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. FIR No.268/2015 registered at Police Station: Neb Sarai, South District, New Delhi, under Section 498A of IPC, and all consequential proceedings



emanating therefrom against the petitioner are quashed.

8. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 8, 2024
RN/AS

Click here to check corrigendum, if any