



\$~69

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

+ CRL.M.C. 6382/2022

RUPENDER SINGH & ORS.

..... Petitioners

Through: Ms.Nusrat Hossain, Mr.Aakash
Bansal, Mr.Shabhaz Singh,
Adv. with petitioners in person

versus

THE STATE (GOVT. OF NCT OF DELHI) AND ANR.

..... Respondents

Through: Mr.Ajay Vikram Singh, APP
with SI Nitesh Mahiya and
Insp.Sushila.
Mr.Narender, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

19.01.2024

%

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.0420/2018 registered at Police Station: Samaipur Badli, Rohini-District, Delhi under Sections 376/377/498A/406/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submits that the parties have amicably settled all their disputes. They have filed their respective affidavits affirming the settlement between them.

3. The respondent no.2 is present in person and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits



that she has no objection if the present FIR is quashed. Pursuant to the settlement between the parties, the learned family court has been pleased to record the statement of the parties qua first motion in divorce petition with mutual consent filed by the parties.

4. In view of the above and considering the Settlement between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would rather be an unnecessary burden on the State exchequer. 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, ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.*** and (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.

5. Accordingly, the petition is allowed. Consequently, the FIR No. 0420/2018 registered at Police Station: Samaipur Badli, Rohini-District, Delhi under Sections 376/377/498A/406/506/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

6. The petition is allowed in the above terms.

NAVIN CHAWLA, J

JANUARY 19, 2024/Arya/ss

[Click here to check corrigendum, if any](#)