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

+ **CRL.M.C. 6986/2022**

PRAMOD KUMAR & ORS.

..... Petitioners

Through: Mr.Bipin Bihar Singh,
Mr.Abhishek Pandey, Mr.Ajay
Kumar Singh, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Dinesh Kumar.
Mr.Suresh Chand, Adv.for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

22.03.2024

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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.239/2019 registered at Police Station: Narela Industrial Area, District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, based on a settlement.

2. Issue notice.

3. Notice is accepted by Ms.Priyanka Dalal, learned APP, and Mr. Suresh Chand, learned Advocate on behalf of the respondent no.2.

4. 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 no.1 and the respondent no.2. He submits that the



petitioner no.1 and respondent no.2 have obtained divorce by way of mutual consent from the learned Principal Judge, Family Courts, Rohini, Delhi vide Decree of Divorce dated 27.05.2022.

5. Earlier the parties had entered into a settlement, however, when the matter was listed before this Court on 03.01.2024, the respondent no.2 who had appeared in person had showed some reservation, and at the request of the learned counsel for the petitioners, the parties were referred to the Delhi High Court Mediation and Conciliation Centre (Mediation Centre). Thereafter, the parties have entered into a Settlement Agreement dated 12.03.2024 before the Mediation Centre.

6. I have perused the terms of the settlement and find the same to be lawful.

7. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer, reaffirms the abovementioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she does not have any objection if the present FIR is quashed. The petitioners have handed over a Demand Draft of Rs.75,000/- to the respondent no.2 in Court in terms of the settlement.

8. Keeping in view the fact that disputes between the parties arose out of a matrimonial relationship and the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties and the fact that a Decree of Divorce has already been granted by the learned Family Court pursuant to the settlement, I find that no useful purpose shall be served in continuing



with the proceedings of the present FIR as it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

9. 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 335, 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.

10. Accordingly, the petition is allowed. FIR No.239/2019 registered at Police Station: Narela Industrial Area, District Out North, Delhi, under Sections 498A/406/34 of the IPC, along with all the consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 22, 2024/Arya/am

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