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

+ **CRL.M.C. 2155/2024 & CRL.M.A. 8360/2024**

ANKIT SHARMA AND OTHERS Petitioners

Through: Mr.Tarun Singh Avana,
Mr.Kuldeep Singh,
Mr.Sammeer Vatts, Advs. with
petitioners in person.

versus

STATE NCT OF DELHI AND ANR. Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Ritika Choudhary.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

18.03.2024

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CRL.M.A. 8360/2024

1. This application has been filed seeking condonation of delay in filing the present petition.
2. For the reasons stated in the application and in the interest of justice, the application is allowed. Accordingly, the delay in filing the present petition is condoned.

CRL.M.C. 2155/2024

3. 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.261/2020 registered at Police Station: New Ashok Nagar, East 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.

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 parties have amicably settled their *inter se* disputes with the intervention of the family members on 02.12.2020.

5. Pursuant to the abovementioned settlement, the petitioner no.1 and respondent no.2 have obtained divorce by way of mutual consent from the learned Principal Judge, Family Courts, East District, Karkardooma Courts, Delhi vide Decree of Divorce dated 16.04.2021.

6. The respondent no.2, who is present in Court and has been duly identified by the Investigating Officer, reaffirms the 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. She submits that she has also received the entire amount as per the compromise deed.

7. I have perused the contents of the FIR and also the settlement arrived at between the parties.

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 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.

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.261/2020 registered at Police Station: New Ashok Nagar, East District, Delhi, under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MARCH 18, 2024/Arya/AS

Click here to check corrigendum, if any