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

+ CRL.M.C. 6702/2024 & CRL.M.A. 25594/2024

ABHINAV SAGGAR

.....Petitioner

Through: Mr. Feroz Alam, Adv.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Pradeep Gahalot, APP for State,
SI Deepika, PS: Kalkaji.
Ms. Noor Alam, Adv. for R-2 with
R-2 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

28.11.2024

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1. This petition has been filed seeking quashing of FIR No.270/2021 under Section 376 of IPC, registered at PS Kalkaji, South East, New Delhi.
2. Petitioner and respondent no.2 are both present in Court and are duly identified by the IO and their respective counsels.
3. The FIR was registered based on allegation by complainant that petitioner had induced her into a physical relationship on the pretext of marriage, since they were in a relationship. The complainant stated that she had a mutual consent divorce from her husband, however, subsequently it transpired that divorce was only notarized and was not formalised and, therefore, she continues to live with her husband.
4. Respondent no.2 states that the FIR was registered due to misapprehension and misjudgement of the situation and she has no objection to quashing of the FIR, as both she and petitioner are now going separate ways.
5. Petitioner also confirms the aspects of settlement dated 19th



November 2024, executed by both petitioner and respondent no.2.

6. Copy of settlement is handed up in Court today. Though the counsels for parties state that settlement has already been placed on record by diary no.5474259, the same is not on record; Registry shall place it on record of this Court.

7. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.270/2021 under Section 376 of IPC registered at PS Kalkaji, South East, New Delhi and proceedings emanating therefrom are quashed.

8. Parties shall abide by the terms of settlement.

9. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 28, 2024/sm