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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 41/2024**
DUSHYANT SINGH CHAHAL & ANR. Petitioners
Through: Mr.Vinod Kumar, Mr.Shashank
Sharma, Advs.
versus

STATE GOVT. OF NCT OF DELHI AND ANR.
..... Respondents
Through: Mr.Sanjay Lau, SC (Criminal),
Mr.Abhinav Kumar Arya,
Mr.Shivesh Kaushik, Advs.
alongwith W/SI Dinesh
Kumari.
Mr.Pawan Kr.Bala, Adv for R-2
alongwith R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
ORDER
% 05.01.2024

CRL.M.A. 365/2024 (Exemption)

1. Allowed subject to all just exceptions.

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2. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.225/2022 registered at Police Station: Mehrauli, Delhi under Sections 498A/406/377/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom.
3. The learned counsel for the petitioners submits that the FIR was



an offshoot of the matrimonial discord between the parties. He submits that the marriage between the petitioner no.1 and the respondent no.2 has already been dissolved by the learned Family Court by mutual consent vide the decree of divorce dated 05.12.2023. He further submits that the parties entered into a settlement on 31.07.2023 before the Mediation Cell, Saket Court. He submits that the disputes between the parties have already stand resolved and in view of the same, the learned Family Court has also disposed of the maintenance petition filed by the respondent no.2.

4. The respondent no.2 is present in person and is duly identified by the IO, and re-affirms the above settlement. She submits that divorce has already taken place between the parties.

5. In view of the above and considering the Settlement between the parties, I find that there is no use in continuing with the proceedings of the present FIR as it would rather create further acrimony between the parties and will be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Keeping in mind the facts of the present case and being guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303 and ***Jitendra Raghuvanshi v. Babita Raghuvanshi***, (2013) 4 SCC 58, 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.

6. Accordingly, the petition is allowed. Consequently, the FIR No. 225/2022, under Sections 408A/406/377/34 of IPC registered at Police



Station: Mehrauli and all consequential proceedings emanating therefrom against the petitioners are quashed.

7. Parties shall abide by the terms of the aforesaid settlement.
8. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 5, 2024/Arya/AS

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