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

+ **CRL.M.C. 136/2024**

TUSHAR GUPTA & ORS. Petitioners

Through: **Mr.S.Shukla, Mr.Saquib
Neshat, Advs.**

versus

THE STATE NCT OF DELHI & ANR. Respondents

Through: **Mr.Shoaib Haider, APP with SI
Sugan Singh.**

**Ms.Rekha Sharma, Mr.Hitesh
Sharma, Advs. for R-2 along
with R-2 in person.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **08.01.2024**

CRL.M.A. 559/2024(exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 136/2024

2. This petition has been filed seeking quashing of FIR No.831/2019 registered at Police Station: Mangol Puri, Outer District, Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, on the basis of a settlement.

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 parties entered into an amicable settlement on 20.03.2023 before the Mediation Cell, Rohini Court complex, Delhi. He submits that in furtherance of the settlement



agreement, the marriage between the petitioner no.1 and the respondent no.2 has been dissolved by the learned Family Court by mutual consent, vide the decree of divorce dated 31.08.2023 in HMA No.2349/2023. He submits that the disputes between the parties have already been settled 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. She re-affirms the above settlement. She submits that divorce has already taken place between her and the petitioner no.1.
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 an unnecessary burden on the State exchequer.
6. Keeping in mind the facts of the present case, and being guided by the principles enunciated by the Supreme Court in the judgments of ***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 to, in the interest of justice, exercise its inherent powers under Section 482 of the Code of Criminal Procedure, 1973 to quash the above mentioned FIR and all the proceedings emanating therefrom.
7. Accordingly, the petition is allowed. Consequently, the FIR No.831/2019 registered at Police Station: Mangol Puri under



Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

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

NAVIN CHAWLA, J

JANUARY 8, 2024
RN/ss

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