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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 159/2024
TIKARAM AND ORS. Petitioners

Through: Mr.S.K.Jha, Adv. along with P-
1 in person.

versus

THE STATE NCT OF DELHI AND ANR. Respondents
Through: Mr.Anand V.Khatri, ASC
(Criminal) for GNCTD/State
with SI Reena.
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **06.02.2024**

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.0588/2015 registered at Police Station: Anand Vihar, East-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.

2. 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 and entered into a settlement agreement dated 01.09.2017, before the Mediation Centre, Karkardooma Courts, Delhi. As per the terms of the settlement the parties are now residing together happily along with their son.



3. The respondent no.2 is present in Court in person and has been duly identified by the Investigating Officer (IO) and submits that she is happily married and residing with the petitioner no.1 and does not want to pursue her complaint any further.

4. I have perused the contents of the FIR and also the settlement between parties.

5. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the fact that the petitioner no.1 and the respondent no. 2 are now living together, 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.

6. 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 3, 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.

7. Accordingly, the petition is allowed. FIR No.0588/2015 registered at Police Station: Anand Vihar, East-District, Delhi, under Sections 498A/406/34 of the IPC, along with all other proceedings arising therefrom, are quashed.



8. Accordingly, the petition is disposed of.

NAVIN CHAWLA, J

FEBRUARY 6, 2024
RN/ss

Click here to check corrigendum, if any