

\$~31 & 47

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

+ **CRL.M.C. 2210/2013 & CrI. M.A. No. 8551/2013**

NIHARIKA GINOTRA & ORS. Petitioners

Through: Mr. Akshit Gadhok, Advocate

versus

NCT OF DELHI & ORS. Respondents

Through: Mr. Sunil Sharma, Additional
Public Prosecutor for respondent –
State with SI Karamvir
Mr. Ajit Kumar Jain, Advocate for
respondent No.2.

+ **CRL.M.C. 2183/2013 & CrI. M.A. No. 8454/2013**

AMIT ANAND & ORS. Petitioners

Through: Mr. Ajit Kumar Jain, Advocate

versus

STATE NCT OF DELHI Respondent

Through: Mr. Sunil Sharma, Additional
Public Prosecutor for respondent –
State with SI Karamvir
Mr. Akshit Gadhlok, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **24.05.2013**

Matrimonial dispute is the subject matter of afore-captioned two
petitions, which led to registration of FIR No. 258/2011, under Sections

CrI. M.C. No. 2183/2013
CrI. M.C. No. 2210/2013

Page 1

Signature Not Verified

Signing Date:09.09.2024 17:06:52
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

2

326/324 of the IPC, at police station Geeta Colony, Delhi [in Crl. M.C. No.2210/2013] and FIR No. 456/2011, under Sections 498A/406/34 of the IPC, at police station Tilak Nagar, Delhi [in Crl. M.C. NO. 2183/2010], quashing of which is sought in these two petitions.

Notice.

Mr. Sunil Sharma, learned Additional Public Prosecutor for respondent-State accepts notice and submits that Smt. Niharika and Mr. Amit Anand, are present in the Court and on the basis of identify proof furnished by them, they have been identified to be the first-informants of FIRs in question, by SI Karamvir, Investigating Officer of this case.

Counsel for parties point out that due to strained matrimonial relations, a quarrel took place between Smt. Niharika- wife and Amit Anand- husband, which led to registration of afore-noted FIRs and that now the *inter se* dispute between the parties has been amicably and mutually resolved in terms of Settlement-Agreement of 29th March, 2013 (*Annexure P-3*) through Delhi High Court Mediation and Conciliation Centre.

Counsel for Amit Anand- husband points out that the aforesaid Settlement-Agreement has been substantially acted upon and in furtherance thereof, today the balance and final payment of ₹50,000/- by way of pay order, bearing No. '064127', dated 2nd April, 2013, drawn on HDFC Bank, Vikas Marg, Delhi-92 has been handed over to Smt. Niharika- wife, who has accepted the same.

Smt. Niharika, present in the Court, affirms receipt of the aforesaid amount and confirms that now no dispute with petitioners [in Crl. M.C. No.2183/2013] survives, so she has *no objection* to the quashing of FIR

3

in question. Mr. Amit Anand, who is also present in the Court, also affirms the factum of settlement arrived at and submits that these proceedings be brought to an end.

In '*Gian Singh Vs. State of Punjab*' (2012) 10 SCC 303 Apex Court has recognized the need of amicable resolution of disputes in cases like the instant one, by observing as under:-

"Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.

Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor."

Considering that the dispute *inter se* parties, which is the subject matter of afore-noted two FIRs, has been mutually and amicably resolved in terms of Settlement-Agreement of 29th March, 2013 (*Annexure P-3*) through Delhi High Court Mediation and Conciliation Centre, no fruitful purpose would be served in continuing with the proceedings arising out of FIR in question.

Consequently, FIR No. 258/2011, under Sections 326/324 of the IPC, registered at police station Geeta Colony, Delhi [in Crl. M.C.

4

No.2210/2013] and FIR No. 456/2011, under Sections 498A/406/34 of the IPC, registered at police station Tilak Nagar, Delhi [in CrI. M.C. No. 2183/2010] and proceedings emanating there-from are quashed qua petitioners/accused.

In the light of above, afore-captioned two petitions and applications are disposed of.


(SUNIL GAUR)
JUDGE

MAY 24, 2013

r