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

+ CRL.M.C. 1704/2022

PARVINDER SINGH GABA @ PRINCE & ORS. Petitioners

Through: Ms.Jyoti Gupta, Advocate with
petitioners in person.

versus

STATE & ANR. Respondents

Through: Mr.Raghvinder Verma, APP for the
State.
Respondent no.2 in person.
SI Vinod, PS Sarai Rohilla

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Date of Decision: 05.01.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petition has been filed for quashing for FIR No.127 of 2013 registered under Section 498A/ 406/ 34 IPC at PS Sarai Rohilla, North Delhi.
2. Learned counsel submits that the parties have entered into a settlement at Delhi Mediation Centre, Tis Hazari Courts, Delhi. The mediation settlement indicates that the parties were married on 09.02.2012 and remained together only till 04.05.2012. It is a matter of record that no child was born out of this wedlock. Pursuance of the settlement, the decree of divorce has already been granted to the parties. As per

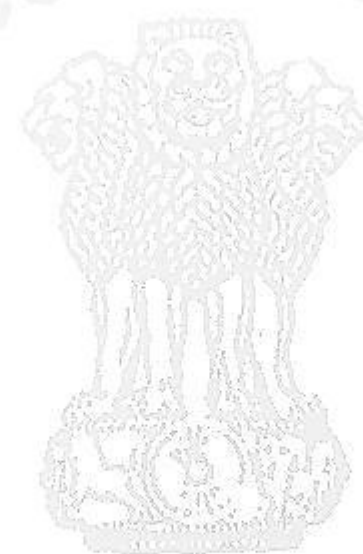
settlement, a sum of Rs.9,25,000/- was to be paid, out of which Rs.6 lakhs have already been paid and remaining Rs.3,25,000/- has been paid today to respondent no.2 by way of demand draft no.559568 dated 11.11.2022 in the sum of Rs.3,25,000/- drawn on Canara Bank, Rajinder Nagar, SGR Hospital Branch, Delhi-60. The respondent no.2 states that she is settling the matter at her own free will, without any fear, force or coercion.

3. The High Court is the highest court of the State and is conferred with the power of control and superintendence over all courts subordinate to it. Besides Articles 226 and 227, Section 482 CrPC also acknowledges the inherent power of the high court to secure the ends of justice. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement may invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would merely be an abuse of process of law.
4. Hon'ble Supreme Court in ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675; ***K. Srinivas Rao v. D.A. Deepa***, (2013) 5 SCC 226 and this court in ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***; 2019 SCC OnLine Del 8179 have repeatedly held that the court should encourage the settlement of matrimonial dispute through amicable settlement. Since the parties have entered into an amicable settlement, this court considers that they should be given opportunity to lead their lives peacefully.
5. IO is present in court and has duly identified the respondent no.2.

6. I have gone through the mediation settlement. This court considers that the parties have entered into the settlement at their own free will, without any fear, force or coercion.
7. In view of the above, FIR No.127 of 2013 registered under Section 498A/ 406/ 34 IPC at PS Sarai Rohilla alongwith all the other proceedings emanating therefrom is quashed.
8. The petition stands disposed of.

DINESH KUMAR SHARMA, J

JANUARY 5, 2023/rb



न्यायमेव जयते