



\$~51

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

+ CRL.M.C. 245/2024 & CRL.M.A. 973/2024 (Exemption)

HARI RATTAN AND ANOTHER Petitioners

Through: Mr. Chandr Kant Sarkar, Mr. Naveen Yadav and Ms. Reetika J., Advocates alongwith petitioner no. 2 through VC.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR....Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State.
SI Arti Singh, PS Sector-23, Dwarka.
Ms. Raavi Kumar Jotwani, Advocate for R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.01.2024

%

1. The present petition under Section 482 of the CrPC seeks quashing of FIR No. 141/2021, under Sections 498-A/406/377/323/34 of the IPC, registered at P.S. Sector-23 Dwarka, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Abhilasha Singh, learned Chief Metropolitan Magistrate, South-West, Dwarka Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 24.07.2007 as per Hindu rites and customs and two children were born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 14.09.2020.



Subsequently, respondent no.2/complainant registered an FIR against the petitioners.

4. Learned counsel for the petitioner submits that in pursuance of the Settlement Agreement dated 21.08.2023, parties arrived at settlement before Counselling Cell, Family Courts, Dwarka, New Delhi. It is further stated that the parties living together, at their matrimonial home alongwith their minor children.

5. Petitioner no. 1 and complainant/respondent no. 2 are present before the Court and petitioner no. 2 through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Arti Singh, PS Sector-23, Dwarka.

6. The Complainant/respondent No.2 states that the matter has been settled and she has been living with petitioner no. 1 for the last one month at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

7. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

8. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”



9. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 141/2021, under Sections 498-A/406/377/323/34 of the IPC, registered at P.S. Sector-23 Dwarka, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Abhilasha Singh, learned Chief Metropolitan Magistrate, South-West, Dwarka Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 141/2021, under Sections 498-A/406/377/323/34 of the IPC, registered at P.S. Sector-23 Dwarka, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Abhilasha Singh, learned Chief Metropolitan Magistrate, South-West, Dwarka Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 11, 2024/sn