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

+ **CRL.M.C. 364/2024**

PARWEZ ALAM & ORS.

..... Petitioners

Through: Mr. Akash Swami, Advocate
alongwith petitioners in person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with ASI Raghuraj Singh,
P.S. Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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16.05.2024

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 222/2019, under Sections 313/323/498A/34 of the IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Gupta, learned Additional Sessions Judge, South, Saket Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 03.07.2017 as per Muslim rites and ceremonies. One male child was born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (brother-in-law) and petitioner no. 3 (sister-in-law).



4. Learned counsel appearing on behalf of the petitioners submits during the pendency of the aforesaid proceedings, the petitioner no.1 and respondent no. 2 have settled their dispute *vide* deed of compromise dated 13.10.2023 and are living together alongwith their 5 years old minor son since the last more than 07 months and in pursuance of the said agreement, respondent no. 2 has no objection, if the present FIR and subsequent chargesheet are quashed.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, ASI Raghuraj Singh, P.S. Sangam Vihar.

6. On the last date of hearing, respondent no. 2 sought time before giving her consent to the present petition. Respondent no. 2 submits that after due consideration, she has no objection, if the present FIR and subsequent chargesheet are quashed.

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, the 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 proceeding.”



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. 222/2019, under Sections 313/323/498A/34 of the IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Gupta, learned Additional Sessions Judge, South, Saket Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 222/2019, under Sections 313/323/498A/34 of the IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Gaurav Gupta, learned Additional Sessions Judge, South, Saket 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

MAY 16, 2024/bsr

Click here to check corrigendum, if any