



\$~37

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

+ CRL.M.C. 668/2024

SURAJ RANA & ANR.

..... Petitioners

Through: Mr. Vijay Dahiya, Adv. with
petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Amit Ahlawat, APP for State
with SI Rooma Yadav, P.S. Paschim
Vihar (West).

Ms. Tanvi Munjal & Mr. Hitesh
Singh, Adv. for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

29.01.2024

%

1. The present petition under Section 482 Cr.P.C. seeks quashing of FIR No. 545/2019, under Section 498A/406/34 IPC, registered at PS Paschim Vihar (West) and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Gautam, Ld. MM (Mahila Court), Tis Hazari Court, Delhi.
2. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 28.02.20217 as per Hindu Rites and Customs and 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 resided separately since 11.05.2019. Subsequently, respondent no.2/complainant lodged a complaint against petitioner no. 1 (husband) and petitioner no. 2 (mother-in-law).
4. On 28.08.2023, parties arrived at a settlement and as per the said



settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 25,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future (Annexure P-2). It is submitted that the aforesaid amount has already been paid to respondent no.2, who acknowledges the receipt of the same.

5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 10.11.2023, passed by Mr. Raj Kumar Tripathi, Additional Principal Judge, Family Court (West), Tis Hazari Courts, Delhi (Annexure P-3). Further, as per the settlement deed, agreed amount has already been paid to respondent no.2. As per the said settlement, custody of the minor child will be with the respondent no. 2 and the petitioner no. 1 will have no visitation rights.

6. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Rooma Yadav, P.S: Paschim Vihar (West).

7. The Complainant/respondent no.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the settlement have been complied with.

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

9. 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.”

10. 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 of FIR No. 545/2019, under Section 498A/406/34 IPC, registered at PS Paschim Vihar (West) and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Gautam, Ld. MM (Mahila Court), Tis Hazari Court, Delhi.

11. In the interest of justice, the petition is allowed, and the of FIR No. 545/2019, under Section 498A/406/34 IPC, registered at PS Paschim Vihar (West) and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Gautam, Ld. MM (Mahila Court), Tis Hazari Court, Delhi, is hereby quashed.

12. It is however directed that this order shall not come in the way of the minor child in claiming his rights of inheritance, maintenance, educational and marriage expenses, etc. against any of the parties.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

JANUARY 29, 2024/nk