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

+ CRL.M.C. 773/2024

SONU DUTT & ORS.

..... Petitioner

Through: Mr. Umankant Kataria, Ms. Rashmi
Mutreja, Advocates alongwith
Petitioner no. 1 and 4 in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Ravi Dhaka, P.S.
Nand Nagri.
Mr. Ashwani Rani & Mr. Yogendra
Kumar, Advocates for R-2 alongwith
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

07.03.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 3/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri, Delhi.
2. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 22.04.2012 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 since 12.05.2016. Subsequently, respondent no.2/complainant lodged a complaint against petitioner no. 1 (husband), petitioner no. 2 (mother-in-law) and petitioner no. 3 (father-in-law).
4. On 27.06.2023, parties arrived at a settlement and as per the said



settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 9,00,000/- 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. The aforesaid amount of Rs. 9,00,000/- 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 02.11.2023, passed by Ms. Twinkle Wadhwa, Judge Family Court-02, Shahdara District, Karkardooma Courts, Delhi (Annexure -2). As per the said settlement, custody of the minor children will be with the respondent no. 2 and the petitioner no. 1 will have no visitation rights.

6. Petitioners no. 1 and 3, 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 Ravi Dhaka, P.S. Nand Nagri.

7. It is pointed out that petitioner no. 2 is a senior citizen and is unwell. On an oral request, personal appearance of petitioner no. 2 is exempted.

8. 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.

9. Learned APP for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

10. 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.”

11. 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. 3/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 3/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri, Delhi, is hereby quashed.

13. It is however directed that this order shall not come in the way of the minor children in claiming their rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 7, 2024/bsr