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

+ **CRL.M.C. 805/2024**

RAKSHPAL SINGH ALIS RASHPAL SINGH & ORS..... Petitioners

Through: Mr. Kishore and Mr. Alok Kumar
Gupta, Advocates alongwith
petitioner in person.

versus

STATE GNCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Vinay, P.S Laxmi
Nagar.
Mr. Anand Nagar, Adv. alongwith
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

01.04.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 2407/2014, under Sections 498A/406/506/34 IPC and Sections 3 and 4 The Dowry Prohibition Act, 1961 registered at P.S. Shakarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Shruti Chaudhary, learned Metropolitan Magistrate (Mahila Court), East, Karkardooma Courts, Delhi.

2. The marriage between petitioner no.1/husband and respondent



no.2/wife was solemnized on 22.01.2012 as per Hindu/Sikh rites and ceremonies.

3. No child was born out of the said wedlock.

4. 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 (father-in-law) and petitioner no. 3 (brother-in-law). It is pointed out that one accused, who was the mother-in-law of the respondent no. 2/complainant, in the present case FIR has since passed away. The death certificate of the same has been placed on record as Annexure-P2 (colly).

5. On 03.06.2023, parties arrived at a settlement and as per the said settlement deed before the Delhi Mediation Centre, Karkardooma Courts, Delhi and as per the settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 3,00,000/- 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 copy of the aforesaid settlement deed dated 03.06.2023 is on record (Annexure P-3).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 13.10.2023, passed by Mr. Manish Khurana, Judge, Family Court, East District, Karkardooma Courts, Delhi (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 2,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 1,00,000/- has been paid to her in Court today, by means of demand draft.

7. 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 Vinay, P.S Laxmi Nagar.

8. A demand draft bearing no. 106424 dated 18.11.2023 for Rs. 1,00,000/- drawn on Canara Bank, Kanth-II has been handed over to the complainant/Respondent No.2, who acknowledges the receipt of the same.

9. 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. She further states that all the terms of the agreement have been complied with.

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

11. 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.”

12. 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. 2407/2014, under Sections 498A/406/506/34 IPC and Sections 3 and 4 the Dowry Prohibition Act, 1961 registered at P.S. Shakarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of



Ms. Shruti Chaudhary, learned Metropolitan Magistrate (Mahila Court), East, Karkardooma Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 2407/2014, under Sections 498A/406/506/34 IPC and Sections 3 and 4 the Dowry Prohibition Act, 1961 registered at P.S. Shakarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Shruti Chaudhary, learned Metropolitan Magistrate (Mahila Court), East, Karkardooma Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 01, 2024/ssc

Click here to check corrigendum, if any