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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 18.03.2024

+ W.P.(CRL) 469/2024

KULVINDER SINGH AND OTHERS.

..... Petitioners

Through: Mr.Madan Lal Kalkal and Mr.Ganga Singh, Advocates with petitioners in person.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr.Anand V.Khatri, ASC (CrI.), GNCTD with SI Shalu, PS Kalyan Puri.
Mr.Arjun Singh, Advocate with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T

ANOOP KUMAR MENDIRATTA, J (ORAL)

1. Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0666/2023, under Sections 354/323/341/506/509 IPC registered at P.S.: Kalyan Puri and proceedings emanating therefrom.

2. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 02.07.2017. Two children were born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started



living separately since 08.08.2023.

3. Present FIR is stated to have been registered on the complaint of respondent No. 2, who alleged that on 03.08.2023 over a minor issue, her husband threw glass of water on her face and started shouting at her in abusive language. On confronting him, respondent No.2 was further beaten and threatened. She further alleged that her father-in-law touched her inappropriately with wrong intention and she was assaulted by her in-laws.

4. The disputes are stated to have been amicably settled between the parties vide Settlement Agreement dated 21.11.2023 and petitioner No.1 and respondent No.2 are thereafter residing together in separate accommodation.

5. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

6. Petitioners in the present case seek to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

7. Petitioners as well as respondent No. 2 in person have been identified by SI Shalu, P.S.: Kalyan Puri. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing



remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

8. Parties intend to put quietus to the proceedings and move forward in life being closely related. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No. 0666/2023, under Sections 354/323/341/506/509 IPC registered at P.S.: Kalyan Puri and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 18, 2024/v