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

+ **CRL.M.C. 971/2024**

SMT SHUSHILA SHARMA

..... Petitioner

Through: Mr. M.K. Parwez, Advocate
alongwith petitioner in person.

versus

THE STATE AND ANR

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Ruby, P.S. Nangloi.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

07.02.2024

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CRL.M.A. 3879/2024 (exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 971/2024

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 770/2015, under Sections 326/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioner/wife submits that the latter is the wife of respondent no. 2. The present FIR was registered at the instance of respondent no. 2/husband on account of matrimonial



dispute between the parties. It is further submitted that with the intervention of relatives, the parties have now settled their dispute *vide* memorandum of understanding dated 18.11.2023. In pursuance of which, the parties have reconciled their differences and are living together alongwith their children.

5. Petitioner/wife and respondent no. 2/husband are present before the Court and have been duly identified by the Investigating Officer, SI Ruby, P.S. Nangloi.

6. Respondent no.2/husband states that the dispute has been settled with the petitioner. He further states that the petitioner is residing with him in their matrimonial home alongwith their children and for the said reason he does not wish to prosecute the FIR.

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. 770/2015, under Sections 326/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings



emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 770/2015, under Sections 326/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Shubham Devadiya, learned Metropolitan Magistrate, Tis Hazari 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

FEBRUARY 7, 2024/bsr