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

+ CRL.M.C. 1256/2024 & CRL.M.A. 4983/2024-Exemption

ABHISHEK PRATAP SINGH & ORS. Petitioners

Through: Ms. Tara Shankar Jha and Mr. G.A.
Khan, Advocates alongwith
petitioners in person.

versus

THE STATE GOVT. OF NCT DELHI & ANR. Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Anil Kumar, PS Sangam Vihar.
Ms. Shalini Sengar, Advocate for R-2
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

16.02.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 411/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Rashi Raheja, learned Metropolitan Magistrate-02, South, Saket Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 22.04.2015 as per Hindu 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 from November 2021. Subsequently, respondent no.2/complainant registered an FIR against



the petitioners.

5. On 09.06.2023, parties arrived at a settlement before Mediation Centre, Saket Courts, New Delhi 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. The copy of the aforesaid settlement deed dated 09.06.2023 is on record (Annexure A-2).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 31.10.2023, passed by Ms. Shunali Gupta, Judge-02, Family Court, District South, Saket Courts, Delhi (Annexure A-3). Further, as per the settlement deed, an amount of Rs. 16,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 9,00,000/- has been provided for her to her counsel in court today, by means of a demand draft.

7. Petitioners are present before the Court and complainant/respondent no. 2 through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Anil Kumar, PS Sangam Vihar.

8. A demand draft bearing no. 489859 dated 14.02.2024 for Rs. 9,00,000/- drawn on Punjab National Bank, Swaroop Nagar, Kanpur, Uttar Pradesh, has been handed over to the counsel of 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. 411/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Rashi Raheja, learned Metropolitan Magistrate-02, South, Saket Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 411/2022, under Sections 498A/406/34 IPC, registered at P.S. Sangam Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Rashi Raheja, learned Metropolitan Magistrate-02, South, Saket 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

FEBRUARY 16, 2024/*sn*