



\$~2

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

+ **CRL.M.C. 1287/2024**

SANJAY MITTAL & ANR.

..... Petitioners

Through: Mr. Shashi Bhushan Jha, Advocate
alongwith petitioners in person.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the
State with SI Vineesha, P.S. Sarojini
Nagar.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
18.03.2024

%

1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 303/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Sarojini Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court, Patiala House Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 05.11.2018 as per Hindu rites and ceremonies. No child was born out of the said wedlock.
3. 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 sister-in-law (not a party to the present petition).

4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement before Delhi Mediation Centre, Patiala House Courts, New Delhi *vide* settlement dated 07.10.2023. In pursuance of the said settlement, respondent no. 2 has no objection, if the present FIR and subsequent chargesheet are quashed. It is further submitted that respondent no. 2 is residing peacefully with petitioner no. 1 at their matrimonial home since 15.11.2023.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Vineesha, P.S. Sarojini Nagar.

6. 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 she is living peacefully with petitioner no. 1 at their matrimonial home since 15.11.2023.

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. 303/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Sarojini Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court, Patiala House Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 303/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Sarojini Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court, Patiala House 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

MARCH 18, 2024/bsr