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

+ **W.P.(CRL) 554/2024**

RAHUL PAL AND ORS

..... Petitioners

Through: Mr. Markandey Gupta, Adv. with
petitioner no.1 to 3 in person.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
State with SI Shivom, P.S. Madhu
Vihar.
Mr. Girdhari Singh & Mr. Abhinav
Nagar, Advs. for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **16.02.2024**

CRL.M.A. 5065/2024-Exemption

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

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3. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 597/2022, under Sections 498A/406/34 IPC, registered at P.S. Madhu Vihar.
4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 09.06.2022 as per Hindu rites and ceremonies.
5. No child was born out of the said wedlock.
6. Due to matrimonial differences between petitioner no. 1 and



respondent no. 2, the parties started residing separately from 14.06.2022. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (father-in-law), petitioner no. 3 (mother-in-law) and petitioner no.4 (sister-in-law).

7. On 07.11.2023, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 21,00,000/- 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 07.11.2023 is on record (Annexure C).

8. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 12.01.2024, passed by Shri Pritam Singh, Judge, Family Court-01, South, Saket, New Delhi (Annexure D). Further, as per the settlement deed, an amount of Rs. 15,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 6,00,000/- has been paid to her in court today, by means of a demand draft.

9. Petitioners no.1 to 3 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 Shivom, P.S. Madhu Vihar. Petitioner no. 4 is stated to be unwell and on an oral request made by learned counsel for the petitioners, she is exempted from personal appearance.

10. A demand draft bearing no. 520667 dated 17.01.2024 for Rs. 6,00,000/- drawn on ICICI Bank, has been handed over complainant/respondent no.2, who acknowledges the receipt of the same.

11. 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.

12. Learned APP for the State submits that the investigation in the present case is ongoing and chargesheet has not been filed. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

13. 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.”

14. 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. 597/2022, under Sections 498A/406/34 IPC, registered at P.S. Madhu Vihar.

15. In the interest of justice, the petition is allowed, and the FIR No. 597/2022, under Sections 498A/406/34 IPC, registered at P.S. Madhu Vihar, is hereby quashed.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 16, 2024/nk