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

+ CRL.M.C. 1448/2024

RUPINDER KAUR & OTHERS Petitioners

Through: Mr. Durgesh Gupta, Advocate.
Petitioners no. 1, 3-7 through VC.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR....Respondents

Through: Mr. Hemant Mehla, APP for the
State.

SI Dilip Kumar, PS Saket.

Mr. Kamal P., Advocate for R-2.

R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

24.04.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 342/2019, under Sections 420/494/495/34 of the IPC, registered at P.S. Saket.

2. Learned counsel appearing on behalf of the petitioners submits that the present FIR had arisen out of matrimonial dispute between petitioner no. 1 and respondent no. 2. It is further submitted that during the course of the investigation, the parties have settled the dispute *vide* settlement deed dated 10.04.2023 (Annexure P-2) in pursuance of which respondent no. 2 has no objection if the present FIR is quashed against the petitioners. It is further submitted that, as per the said MoU, it has been agreed between the parties that Cross-FIR bearing No. 439/2019, under Sections 323/354A/406/498A/506 of the IPC, registered at P.S. Baldev Nagar,



Ambala, shall be quashed consequent to quashing of the present FIR.

3. Petitioners 1, 3 to 7 and complainant/respondent no. 2 are present before the Court through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Dilip Kumar, PS Saket. Learned counsel appearing on behalf of the petitioners seeks exemption from appearance for Petitioner no. 2 as he cannot join the proceedings on account of medical restrictions. Therefore, the same is allowed.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and he has no objection if the FIR is quashed.

5. The petitioners and respondent no. 2 undertake to abide by their reciprocal obligations as per the said MoU/settlement deed.

6. Learned APP for the State submits that investigation in the present FIR is not complete 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.

7. 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.”

8. 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. 342/2019, under Sections 420/494/495/34 of the IPC, registered at P.S. Saket.

9. In the interest of justice, the petition is allowed, and the FIR No. 342/2019, under Sections 420/494/495/34 of the IPC, registered at P.S. Saket is hereby quashed.

10. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 24, 2024/sn

Click here to check corrigendum, if any