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

+ **CRL.M.C. 1457/2024 & CRL.M.A. 5748/2024 (exemption)**

SUMIT GUPTA & ANR.

..... Petitioners

Through: Mr. Parmal Singh, Mr. Rajesh Yadav,
Ms. Monika Singh and
Mr. Ghhanendra Singh, Advocates
alongwith petitioners in person.

versus

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

..... Respondents

Through: Mr. Mukesh Kumar, APP for the
State.
SI Aman Deep Rana and ASI Mukesh
Kr., PS Binda Pur.
Mr. Rishit, Advocate for R-2
alongwith R-2 in person.

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER
22.02.2024**

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 937/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Binda Pur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Divya Yadav, learned Metropolitan Magistrate, Dwarka Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 29.11.2013 as per Hindu rites and customs and one daughter was born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and



respondent no. 2, the parties have resided separately since 2017. Subsequently, respondent no.2/complainant registered an FIR against the petitioner no.1 (husband) and petitioner no. 2 (mother-in-law).

4. Learned counsel for the petitioner submits that in pursuance of the Settlement Agreement dated 17.08.2023 (Annexure-P3), parties arrived at settlement before the Mediation Centre, Dwarka Courts, Delhi. He further submits that the parties have been living together at their matrimonial home for the last 6 months, alongwith their minor daughter.

5. Petitioners 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, ASI Mukesh Kr., PS Binda Pur.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 for the last 6 months at their matrimonial home and she has no objection if the FIR is quashed against the petitioners. She further states that all the terms of the agreement have been complied with.

7. In view of the settlement between the parties, learned ASC 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, 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 proceedings.”

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. 937/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Bindapur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Divya Yadav, learned Metropolitan Magistrate, Dwarka Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 937/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Bindapur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Divya Yadav, learned Metropolitan Magistrate, Dwarka 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 22, 2024/sn