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

+ CRL.M.C. 1552/2024 & CRL.M.A. 6062/2024 (Exemption)

SANDEEP KUMAR & ORS.

..... Petitioners

Through: Mr. Adeel Ahmed and Mr. Hemant
Kumar, Advocates alongwith
petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Sachin, PS Khajuri Khas.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

26.02.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 242/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Khajuri Khas.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 30.01.2020 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 20.09.2020. 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 to 6 (brothers-in-law).
5. On 05.10.2023, parties arrived at a settlement before Delhi Mediation



Centre, Karkardooma Courts, Delhi pursuant to which respondent no. 2/complainant has no objection if the present FIR is quashed. The copy of the aforesaid settlement deed dated 05.10.2023 is on record (Annexure B).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 15.01.2024, passed by Shri Sanjay Kumar Aggarwal, Principal Judge, Family Courts, Central District, Tis Hazari, Delhi (Annexure-D).

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Sachin, PS Khajuri Khas.

8. 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.

9. Learned APP for the State submits that the present FIR is pending investigation and chargesheet has not been filed. He further submits that in view of the settlement between the parties, he has no objection if the present FIR is quashed.

10. 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.”

11. 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. 242/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Khajuri Khas.

12. In the interest of justice, the petition is allowed, and FIR No. 242/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Khajuri Khas, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 26, 2024/sn