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

+ **CRL.M.C. 1574/2024**

DEEPAK

..... Petitioner

Through: Ms. Nandita Ro, Mr. Jai Shankar, Ms. Nandini Rao, Mr. Amit Kumar Dubey & Mr. Abhishek Kumar, Advocates alongwith petitioner in person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State with SI Gurtej Singh, P.S. J.P. Kalan.
R-2 in person.

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

ORDER

% **27.02.2024**

CRL.M.A. 6133/2024 (Exemption)

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

CRL.M.C. 1574/2024

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 182/2022, under Section 498A/406/34 of the IPC, registered at P.S. Jaffarpur Kalan and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Abhilasha Singh, learned Metropolitan Magistrate, Mahila Court, Dwarka Courts, Delhi.



4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 16.02.2020 as per Hindu rites and ceremonies. One girl child was born out of the said wedlock.
5. Due to matrimonial differences between petitioner and respondent no. 2, the parties started residing separately from 07.11.2021. Subsequently, respondent no.2/complainant lodged an FIR against petitioner.
6. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid proceedings, the parties have amicably settled their dispute before Mediation Centre, Dwarka Courts, *vide* agreement dated 28.02.2023. In pursuance of the said agreement, respondent no. 2 has no objection, if the present FIR and subsequent chargesheet are quashed. It is further submitted that petitioner and respondent no. 2 are living together peacefully alongwith their minor child at their matrimonial home for the last 01 year.
7. Petitioner 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 Gurtej Singh, P.S. J.P. Kalan.
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. It is further stated that she is living peacefully with petitioner alongwith their minor child at their matrimonial home for the 01 year.
9. In view of the settlement between the parties, learned APP for the State also 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. 182/2022, under Section 498A/406/34 of the IPC, registered at P.S. Jaffarpur Kalan and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Abhilasha Singh, learned Metropolitan Magistrate, Mahila Court, Dwarka Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 182/2022, under Section 498A/406/34 of the IPC, registered at P.S. Jaffarpur Kalan and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Abhilasha Singh, learned Metropolitan Magistrate, Mahila Court, Dwarka Courts, Delhi, 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 27, 2024/bsr