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

+ **CRL.M.C. 1601/2024**

SUMIT GOSWAMI & ORS.

..... Petitioners

Through: Mr. Pankaj Kapoor Adv, Mr. Vineet Adv, along with the petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State SI Sanjay Bansal, P.S. Bhajanpura
Mr. Taraun Gaur & Mr. Abhishek Sharma, Advocates for R-2 alongwith R-2 in person.

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

ORDER

% 28.02.2024

CRL.M.A. 6210/2024 (Exemption)

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

CRL.M.C. 1601/2024

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 420/2019, under Sections 498A/406/377/354A/34 of the IPC, registered at P.S. Bhajanpura.
4. The marriage between petitioner no.1/husband and respondent



no.2/wife was solemnized on 17.04.2016 as per Hindu rites and ceremonies. No child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 25.08.2018. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (sister-in-law), petitioner no. 3 (mother-in-law/*Tai*), petitioner no. 4 (mother-in-law/*mausi*) and petitioner no. 5 (relative).

6. On 22.10.2019, parties have arrived at a settlement and as per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 15,00,000/- 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 dated 22.10.2019 is on record (Annexure-B).

7. Decree of divorce handed up in Court today and is taken on record. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 07.07.2021, passed by Ms. Shalinder Kaur, Principal Judge, Family Courts, North-East, Karkardooma Courts, Delhi. Further, as per the settlement deed, an amount of Rs. 10,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 5,00,000/- has been paid to her in court today, by means of a demand draft.

8. 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, SI Sanjay Bansal, P.S. Bhajanpura.

9. A demand draft bearing no. 002916, dated 20.02.2024, for Rs. 5,00,000/- drawn on Axis Bank, has been handed over to the



complainant/Respondent No.2, who acknowledges the receipt of the same.

10. 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.

11. Learned APP for the State submits that investigation in the present FIR is pending 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.

12. 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.”

13. 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. 420/2019, under Sections 498A/406/377/354A/34 of the IPC, registered at P.S. Bhajanpura.

14. In the interest of justice, the petition is allowed, and the FIR No. 420/2019, under Sections 498A/406/377/354A/34 of the IPC, registered at P.S. Bhajanpura, is hereby quashed.



15. Petition is allowed and disposed of accordingly.
16. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 28, 2024/K