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* IN THE HIGH COURT OF DELHI AT NEW DELHI
% Date of Decision: 28.02.2024

+ CRL.M.C. 1646/2024

PARNEET SINGH CHAWLA & ORS. Petitioners
Through: Mr. P.R. Sharma, Adv.

versus

STATE GOVT. OF NCT DELHI & ANR. Respondents
Through: Mr. Ajay Vikram Singh, APP for State
with SI Munish Kumar, PS North
Rohini.
Mr. Ravinder Singh and Mr.
Sukhvinder Singh, Advs. for R-2 with
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

% **J U D G M E N T**

ANOOP KUMAR MENDIRATTA, J (ORAL)

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0576/2020 under Sections 498A/406/34 IPC registered at P.S.: North Rohini, Delhi and the proceedings emanating therefrom. Section 354A IPC has been invoked subsequently by the prosecution.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No.2 in person appear on advance notice and accept notice.
3. In brief, as per the case of the petitioners, the marriage between petitioner No.1 and respondent No.2 was solemnized according to Sikh rites



and ceremonies on 16.01.2016. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On complaint of respondent No.2, present FIR was registered on 29.12.2020.

4. The disputes are stated to have been amicably resolved between the parties, in terms of Settlement Deed dated 03.04.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act vide judgment dated 29.05.2023.

5. Balance amount of Rs. 3,00,000/- (Three Lakhs Only) has been paid to respondent No. 2 today through DD No.414953 dated 01.12.2023 drawn on Kotak Mahindra Bank, Model Town Branch, Delhi in favour of respondent No. 2, towards full and final settlement between the parties.

6. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

7. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

8. Petitioners as well as respondent No. 2 are present in person and have



been identified by SI Munish Kumar, PS North Rohini. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

9. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 0576/2020 under Sections 498A/406/354A/34 IPC registered at P.S.: North Rohini, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 28, 2024/akc