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

+ CRL.M.C. 1661/2024 & CRL.M.A. 6390/2024 (Exemption)

ARUN VATS

..... Petitioner

Through: Counsel appearance not given
alongwith petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Mr. Mukesh Kumar, APP for the
State.

SI Shamsheer Singh, PS Paschim
Vihar East.

R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.02.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 173/2016, under Section 498A/406 of the IPC (as per order on charge dated 15.11.2019), registered at PS Paschim Vihar East and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aneez Bishnoi, learned Metropolitan Magistrate, Tis Hazari Courts, New Delhi.
2. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 25.01.2010 as per Hindu Rites and Customs and one female child was born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 05.11.2015. Subsequently, respondent no.2/complainant lodged an FIR against the



petitioner and in-laws (who are not a party to the present petitioner).

4. On 01.02.2023, parties arrived at a settlement before the Counselling Cell, Family Courts, West District, Tis Hazari Courts, and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 47,00,000/- 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 (Annexure P-3).

5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 28.04.2023, passed by Sh. Raj Kumar Tripathi, Judge, Family Court-01 (West), Tis Hazari Courts, Delhi (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 37,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 10,00,000/- has been paid to her in Court today, by means of a demand draft. As per the said settlement, custody of the minor child will be with the respondent no. 2 and the petitioner no. 1 will have no visitation rights.

6. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Shamsher Singh, PS Paschim Vihar East.

7. A Demand Draft bearing no. 470946 dated 02.02.2024 for Rs. 10,00,000/- drawn on Central Bank of India has been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.

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 against the petitioners. She further states that all the terms of the settlement have been complied with.



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, 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.”

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. 173/2016, under Section 498A/406 of the IPC (as per order on charge dated 15.11.2019), registered at PS Paschim Vihar East and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aneeza Bishnoi, learned Metropolitan Magistrate, Tis Hazari Courts, New Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 173/2016, under Section 498A/406 of the IPC (as per order on charge dated 15.11.2019), registered at PS Paschim Vihar East and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Aneeza Bishnoi, learned Metropolitan Magistrate, Tis Hazari Courts, New Delhi, is hereby quashed.

13. It is however directed that this order shall not come in the way of the



minor child in claiming her rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 28, 2024/sn