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

+ CRL.M.C. 1753/2024 & CRL.M.A. 6711/2024 (exemption)

PARITOSH SETHI & ORS. Petitioners

Through: Mr. Deepak Ranga, Advocate.
Petitioners through VC.

versus

THE STATE NCT OF DELHI AND ORS. Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.

SI Dhananjay Gupta, PS Rajouri
Garden.

Ms. Jyoti Batra, Advocate for R-2.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

01.03.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 440/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 28.06.2012 as per Hindu rites and customs and one male child was born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately. Subsequently, respondent no.2/complainant registered an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law).
4. Learned counsel for the petitioners submits that with the intervention



of the family friends and near relatives, the petitioner no. 1 and respondent no. 2 have arrived at a Memorandum of Understanding (MoU) dated 02.06.2023 and the copy of the MoU has been placed on record as Annexure P-6. It is further submitted that in pursuance of the said MoU, the parties have been residing together at their matrimonial home since July 2023 alongwith their minor son.

5. Petitioners and complainant/respondent no. 2 are present before the Court through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Dhananjay Gupta, PS Rajouri Garden.

6. The complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 since July 2023 at their matrimonial home alongwith their minor son and she has no objection if the FIR is quashed against the petitioners.

7. Learned APP for the State submits that investigation in the present FIR is not complete and chargesheet has not been filed. In view of the settlement between the parties, learned APP for the State has no objection if the present FIR is quashed.

8. 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.”

9. 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. 440/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden.

10. In the interest of justice, the petition is allowed, and the FIR No. 440/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Rajouri Garden, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 01, 2024/sn