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

+ **CRL.M.C. 1806/2024**

MAYANK BISHT & ANR.

..... Petitioners

Through: Mr. Varun Kr. Garg, Mr. Nipun M.,
Ms. Ritu Bansal and Mr. Abhinav
Sharma, Advocates alongwith
petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Prashant Malik, PS Mayur Vihar.
Mr. Atul Jain and Mr. Anikesh
Brahma, Advocates for R-2.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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24.04.2024

CRL.M.A. 6870/2024 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The applications are disposed of accordingly.

CRL.M.A. 6871/2024 (join court through VC P-1), 6872/2024 (join court through VC P-2)

3. The present application under Section 482 of the CrPC seeks permission for petitioner nos. 1 and 2 to join the proceedings through video conferencing. However, since the petitioners are already present in person, the present applications are dismissed as infructuous and disposed of accordingly.



CRL.M.C. 1806/2024

4. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 545/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Mayur Vihar, Phase-I, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shazadi Halima Sadiya, learned Metropolitan Magistrate, Karkardooma Courts, Delhi under Sections 498A/323/406/506/34 of the IPC.

5. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 07.03.2018 as per Hindu rites and ceremonies.

6. No child was born out of the said wedlock.

7. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from March 2019. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband) and petitioner no. 2 (mother-in-law).

8. On 10.04.2023, parties arrived at a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi, and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 20,00,000/- 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 deed dated 10.04.2023 is on record (Annexure P-2).

9. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 20.09.2023, passed by Shri Ravinder Singh-01, Judge, Family Court-02, (East), Karkardooma Courts, Delhi (Annexure P-3). Further, as per the settlement deed, an amount of Rs.



15,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 5,00,000/- has been transferred to the bank account of respondent no. 2 through RTGS this morning. Respondent no. 2 is present through video conferencing and acknowledges the receipt of the same.

10. Petitioners are present before the Court and complainant/respondent no. 2 through video conferencing and they have been duly identified by their respective counsel, as well as the Investigating Officer, SI Prashant Malik, PS Mayur Vihar.

11. 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.

12. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

13. 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.”

14. 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. 545/2020, under Sections 498A/406/34



of the IPC, registered at P.S. Mayur Vihar, Phase-I, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shazadi Halima Sadiya, learned Metropolitan Magistrate, Karkardooma Courts, Delhi under Sections 498A/323/406/506/34 of the IPC.

15. In the interest of justice, the petition is allowed, and the FIR No. 545/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Mayur Vihar, Phase-I, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shazadi Halima Sadiya, learned Metropolitan Magistrate, Karkardooma Courts, Delhi under Sections 498A/323/406/506/34 of the IPC, is hereby quashed.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 24, 2024/sn

Click here to check corrigendum, if any