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

+ **CRL.M.C. 1826/2024**

**PANKAJ VERMA AND ORS**

..... Petitioners

Through: Mr. Ashish Sehrawat, Mr. Kapil Yadav, Mr. Nikhil Yadav & Mr. S.S. Sehrawat, Advocates alongwith P-1, 2, 4 & 5 in person.

versus

**THE STATE NCT OF DELHI AND ANR.**

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State with ASI Arvind Kumar, P.S. Burari.  
Mr. Varun Sikka & Ms. Neha Gupta, Advocates for R-2 alongwith R-2 in person.

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

**ORDER**

**04.03.2024**

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**CRL.M.A. 6954/2024 (Exemption)**

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

**CRL.M.C. 1826/2024**

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 646/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Reetika Jain,



learned Metropolitan Magistrate, Mahila Court (Central), Tis Hazari Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 09.12.2012 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 since May 2017. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (father-in-law), and petitioner no. 3 (mother-in-law). Thereafter, petitioner no. 4 (sister-in-law), petitioner no. 5 (brother-in-law) petitioner no. 6 were chargesheeted along with the aforementioned petitioners. During the pendency of the aforesaid proceedings, petitioner no. 3 (mother-in-law) & petitioner no. 6, have passed away. Verification reports with regard to the same have been placed on record as Annexure P-7 and Annexure P-8.

6. On 03.09.2022, parties arrived at a settlement and as per the said settlement agreement, petitioner no.1 has agreed to pay an amount of Rs. 4,50,000/- to 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 agreement dated 03.09.2022 is on record (Annexure P-2).

7. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 13.04.2023, passed by Sh. Murari Prasad Singh, Judge, Family Court, (Central), Tis Hazari Court, Delhi (Annexure P-3 Colly). Further, as per the settlement deed, an amount of Rs. 4,00,000/- has already been paid to respondent no.2 and the remaining



amount of Rs. 50,000/- has been paid to her in court today, by means of a demand draft.

8. Petitioners no. 1, 2, 4, 5 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, ASI Arvind Kumar, P.S. Burari.

9. A demand draft bearing no. 634904, dated 01.03.2024, for Rs. 50,000/- drawn on Punjab National Bank, Burari, Delhi 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. 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. 646/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Reetika Jain, learned Metropolitan Magistrate, Mahila Court (Central), Tis Hazari Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 646/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Burari and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Reetika Jain, learned Metropolitan Magistrate, Mahila Court (Central), Tis Hazari Courts, Delhi, is hereby quashed.

15. Petition is allowed and disposed of accordingly.

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

**AMIT SHARMA, J**

**MARCH 4, 2024/bsr**