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

+ **CRL.M.C. 1973/2024**

SH. JAGVIR SINGH AND ANR

..... Petitioners

Through: Mr. Pradeep Kumar, Advocate
alongwith petitioner no. 1 in person.
Petitioner no. 2 in person (through
VC).

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the
State with SI Sudhanshu Singh, P.S.
Karawal Nagar.
Mr. Harindra Singh, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **11.03.2024**

CRL.M.A. 7576/2024(Exemption)

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

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3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 598/2014, under Sections 498A/406/34 of the IPC and Section 4 of the D.P. Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet filed and



pending before the Court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, North-East, Karkardooma Courts, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 24.11.2007 as per Hindu Rites and Customs and one female child and one male child were born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 22.06.2019. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband) & petitioner no. 2 (mother-in-law).

6. On 21.02.2023, parties arrived at a settlement before Delhi Mediation Centre, Karkardooma Courts, Delhi and as per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 2,25,000/- 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.

7. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 14.10.2023, passed by Sh. Ankur Jain-I, Judge, Family Courts, North-East, Karkardooma Courts, Delhi (A copy of the same has been handed up in Court today and is taken on record). Further, as per the settlement, an amount of Rs. 1,50,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 75,000/- has been paid to her in Court today, by means of an FDR in the name of minor daughter, Ms. Ritika. As per the said settlement, custody of the minor son will be petitioner no. 1 and custody of the minor girl will be with the respondent no. 2 and both the parties have visitation rights on 04th Sunday of every month, Birthday and festival nearby Karawal Nagar Mandir for the duration as per convenience of the parties.



8. Petitioner no. 1, complainant/respondent no. 2 are present before the Court and petitioner no. 2 appears through video conferencing and they have been duly identified by their respective counsel, as well as the Investigating Officer, SI Sudhanshu Singh, P.S. Karawal Nagar.

9. An FDR account no. 190700PU00059836, for Rs. 75,000/- in the name of Ms. Ritika (minor girl) drawn on Punjab National Bank, Plot no. 4, Sector -10, Dwarka, New 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 against the petitioners. She further states that all the terms of the settlement 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, 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.”

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. 598/2014, under Sections 498A/406/34 of the IPC and Section 4 of the D.P. Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, North-East, Karkardooma Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 598/2014, under Sections 498A/406/34 of the IPC and Section 4 of the D.P. Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, North-East, Karkardooma Courts, Delhi, New Delhi, is hereby quashed.

15. It is however directed that this order shall not come in the way of the minor children in claiming their rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

16. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 11, 2024/bsr