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

+ **CRL.M.C. 2009/2024**

AARTI SADH AND ORS.

....Petitioners

Through: Mr. Wasi Haider, Adv. with
petitioners in person.

versus

STATE (GOVERNMENT OF NCT OF DELHI) AND ORS.

..... Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI Gajal Chugh, P.S. Krishna
Nagar.
Respondent no.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **12.03.2024**

CRL.M.A. 7744/2024 (Exemption)

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

CRL.M.C. 2009/2024

3. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 285/2017, under Sections 354B/509/323/342/506/34 IPC, registered at P.S. Krishna Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika Srivastava, learned Metropolitan Magistrate, Mahila Court, Karkardooma East, Delhi.
4. Learned counsel for the petitioner submits that the present FIR has arisen out of matrimonial dispute between petitioner no.1 and her husband.



It is pointed out that respondent no.2 and 3 are mother-in-law and sister-in-law of husband of petitioner no.1 respectively. It is further pointed out that as a result of the said dispute, a cross-FIR, i.e., FIR No. 284/2017, under Sections 323/354/354A/354B/342/342/377/498A/406/495/34 of IPC, was registered at P.S. Krishna Nagar at instance of present petitioner no.1 against her husband and his family members including respondent no.2 and 3 herein.

5. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 03.05.2023, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR, i.e., FIR No. 284/2017, under Sections 323/354/354A/354B/342/342/377/498A/406/495/34 of IPC, registered at P.S. Krishna Nagar is the subject matter of CRL.M.C. 1859/2024, which is being disposed of by a separate order of the same date.

6. As per the said settlement deed, husband of petitioner no. 1 had agreed to pay an amount of Rs. 3,00,000/- to her 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 03.05.2023 is on record (Annexure P-3).

7. In terms of the said settlement, the marriage between petitioner no. 1 and her husband stands dissolved by a decree of divorce dated 14.08.2023, passed by Shri Sanjeev Jain, Principal Judge, Family Court, East District, Karkardooma Courts, Delhi (Annexure P-4).

8. Petitioners and complainant/respondent no. 2 and 3 are present before the Court and have been duly identified by the Investigating Officer, SI Gajal Chugh, P.S. Krishna Nagar.



9. The complainant/respondent No. 2 and 3 state that the matter has been settled with the petitioners and they have no objection if the FIR is quashed. They further state that all the terms of the agreement have been complied with.

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

11. 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.”

12. 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. 285/2017, under Sections 354B/509/323/342/506/34 IPC, registered at P.S. Krishna Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika Srivastava, learned Metropolitan Magistrate, Mahila Court, Karkardooma East, Delhi.

13. In the interest of justice, the petition is allowed, and FIR No. 285/2017, under Sections 354B/509/323/342/506/34 IPC, registered at P.S. Krishna Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika



Srivastava, learned Metropolitan Magistrate, Mahila Court Karkardooma East, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 12, 2024/nk