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

+ **W.P.(CRL) 831/2024**

**DHARMENDAR KUMAR AND ORS.**

..... Petitioners

Through: Mr. Ankit Tandan, Mr. Rajeev Ranjan, Ms. Hernisha Tandan and Mr. S.C.Bakshi, Advocate alongwith petitioners in person.

versus

**THE STATE, NCT OF DELHI & ANR.**

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel (criminal) for the State.  
SI Himanshu, PS Jafrabad.  
Counsel (appearance not given) for R-2 alongwith R-2 in person.

**CORAM:**

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

**ORDER**

**22.05.2024**

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 448/2020, under Sections 498A/406/377/354/34 of the IPC and Section 4 of Dowry Prohibition Act, registered at P.S. Jafrabad.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 25.04.2019 as per Hindu rites and ceremonies and no 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 from 17.02.2020. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.
4. On 22.02.2023, parties arrived at a settlement before learned Principal



Judge, Family Court, Shahdara District, Karkardooma Court, Delhi, and as per the said settlement deed, respondent no.2/wife does not claim anything 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 22.02.2023 is on record (Annexure P-2).

5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 08.08.2023, passed by Shri Ajay Pandey, Additional Principal Judge, Family Court (Shahdara District), Karkardooma Courts, Delhi (Annexure P-3).

6. Petitioners 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, SI Himanshu, PS Jafrabad.

7. 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.

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

9. 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.”

10. 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. 448/2020, under Sections 498A/406/377/354/34 of the IPC and Section 4 of Dowry Prohibition Act, registered at P.S. Jafrabad.

11. In the interest of justice, the petition is allowed, and the FIR No. 448/2020, under Sections 498A/406/377/354/34 of the IPC and Section 4 of Dowry Prohibition Act, registered at P.S. Jafrabad, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

**AMIT SHARMA, J**

**MAY 22, 2024/sn**

*Click here to check corrigendum, if any*