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

+ CRL.M.C. 2484/2023

SH AMIT CHAURASIA & ORS. Petitioners

Through: Counsel (appearance not given)
alongwith petitioners no. 1, 3 and 4.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Aashneet Singh, APP for the
State.

ASI Satish Kumar, PS Farsh Bazar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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26.02.2024

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 303/2015, under Sections 498A/406/34 of the IPC, registered at P.S. Farsh Bazar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shruti Sharma, learned Metropolitan Magistrate, Mahila Court, Shahdara District, Karkardooma Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 15.02.2013 as per Hindu rites and ceremonies.
3. No child was born out of the said wedlock.
4. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 02.06.2014. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner no. 1 (husband), petitioner no. 2 (father-in-law), who has since



passed away, petitioner no. 3 (mother-in-law) and petitioner no. 4 (petitioner no. 1's maternal uncle).

5. On 20.10.2016, parties arrived at a settlement at Delhi Mediation Centre, Karkardooma Courts and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 2,50,000/- 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 20.10.2016 is on record at Annexure P-3.

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 09.10.2017, passed by Shri Sanjay Garg-I, learned Principal Judge, Family Court, Shahdara, Karkardooma Courts, Delhi (Annexure P-4). Further, as per the settlement deed the total amount of Rs. 2,50,000/- has already been paid to respondent no.2.

7. Petitioners no. 1, 3 and 4 and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, ASI Satish Kumar, PS Farsh Bazar.

8. 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.

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

10. 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.”

11. 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. 303/2015, under Sections 498A/406/34 of the IPC, registered at P.S. Farsh Bazar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shruti Sharma, learned Metropolitan Magistrate, Mahila Court, Shahdara District, Karkardooma Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 303/2015, under Sections 498A/406/34 of the IPC, registered at P.S. Farsh Bazar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Shruti Sharma, learned Metropolitan Magistrate, Mahila Court, Shahdara District, Karkardooma Courts, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

FEBRUARY 26, 2024/sn