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

+ **CRL.M.C. 2134/2024**

JITENDER KAPOOR & ORS.

..... Petitioners

Through: Mr. Ashish Nischal, Mr. Arun Nischal & Ms. Rinku Shah, Advs. with petitioner no.1 in person.
Petitioner no.2 and 3 through VC.

versus

STATE STANDING COUNSEL CRIMINAL & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State with SI Parmender Kumar, P.S. Rani Bagh, Delhi.
Ms. Koplin K. Kandhari, Adv. for R-2/complainant with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

15.03.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 177/2018, under Sections 498A/406/34 IPC, registered at P.S. Rani Bagh (North-West) and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, North-West, Rohini Courts, Delhi.

2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 23.11.2017 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 19.01.2018. 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), sister-in-law/ '*nanad*' and brother-in-law / '*nandoi*' (the sister-in-law and the brother-in-law are not a party to the present petition).
5. On 04.11.2023, parties arrived at a settlement before Principal Judge, Family Court, North West District, Rohini, Delhi and as per the said settlement, petitioner no.1 has agreed to pay an amount of Rs. 26,00,000/- 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 (Annexure-P3).
6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 03.02.2024, passed by Ms. Raj Rani, Judge, Family Court, North-West, Rohini, Delhi (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 18,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 8,00,000/- has been paid to her in court today, by means of a demand draft.
7. Petitioner no.1 and complainant/respondent no. 2 are present before the Court and petitioner no.2 and 3 are present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Parmender Kumar, P.S. Rani Bagh, Delhi.
8. A demand draft bearing no. 025525 dated 12.03.2024 for Rs. 8,00,000/- drawn on HDFC Bank has been handed over to the complainant/Respondent No.2, who acknowledges the receipt of the same.



9. 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.

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. 177/2018, under Sections 498A/406/34 IPC, registered at P.S. Rani Bagh (North-West) and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, North-West, Rohini Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 177/2018, under Sections 498A/406/34 IPC, registered at P.S. Rani Bagh (North-West) and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Preeti Rajoria,



learned Metropolitan Magistrate, North-West, Rohini Courts, 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 15, 2024/nk