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

+ CRL.M.C. 2438/2024 & CRL.M.A. 9302/2024 Exemption

NARENDER DHANWAL AND ORS

..... Petitioners

Through: Mr. Hitender Shokeen & Mr. Manoj
Rathi, Advs. with petitioners in
person.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Neeraj Choudhary,
P.S. Patel Nagar.
Mr. Vipin Kumar & Mr. Vashu
Gupta, Advs. for R-2 with R-
2/Complainant in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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27.03.2024

1. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 299/2012, under Sections 498A/406/34 IPC, registered at P.S. Patel Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Aneesa Bishnoi, learned Metropolitan Magistrate, District West, Tis Hazari Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 06.11.2011 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 03.06.2012.



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).

5. On 07.01.2019, parties arrived at a settlement before the learned Principal Judge, Family Courts, Tis Hazari, Delhi as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 6,50,000/- 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 07.01.2019 is on record (Annexure P-4).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 17.09.2019, passed by Shri Dinesh Bhatt, learned Principal Judge, Family Court West District, Tis Hazari Courts, Delhi (Annexure P-6). Further, as per the settlement deed, an amount of Rs. 4,50,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 2,00,000/- has been transferred to her account *via* NEFT.

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel as well as by the Investigating Officer, SI Neeraj Choudhary, P.S. Patel Nagar.

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. 299/2012, under Sections 498A/406/34 IPC, registered at P.S. Patel Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Aneez Bishnoi, learned Metropolitan Magistrate, District West, Tis Hazari Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 299/2012, under Sections 498A/406/34 IPC, registered at P.S. Patel Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Aneez Bishnoi, learned Metropolitan Magistrate, District West, Tis Hazari 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

MARCH 27, 2024/nk

Click here to check corrigendum, if any