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

+ **W.P.(CRL) 986/2024 & CRL.M.A. 9429-9430/2024**

MANJU AGGARWAL & ORS. Petitioners

Through: Counsel appearance not given.
Petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Anand V. Khatri, ASC (criminal)
for the State.
SI Suman Singh, PS Rohini North.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **28.03.2024**

1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 632/2023, under Sections 498A/406/506/34 of the IPC, registered at P.S. North Rohini.
2. The marriage between petitioner no.2/husband and respondent no.2/wife was solemnized on 27.04.2009 as per Hindu rites and customs and two children, i.e., a daughter and a son were born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately. Subsequently, respondent no.2/complainant registered an FIR against the present petitioners. It is submitted that as a result of the said dispute, a cross-FIR, i.e., FIR No. 288/2023, under Sections 323/341/354/506/34 of the IPC was registered at PS North Rohini, at the instance of petitioner no. 1 herein against respondent



no. 2 and members of her family.

4. Learned counsel for the petitioner submits that in pursuance of the Memorandum of Understanding dated 18.12.2023, parties arrived at settlement, pursuant to which parties have no objection to quashing of the cross FIRs. The cross FIR, i.e, FIR No. 288/2023, under Sections 323/341/354/506/34 of the IPC, registered at PS North Rohini is the subject matter of CRL.M.C. 2512/2024, which is being disposed of by a separate order of the even date. It is further stated that the parties are living together at their matrimonial home alongwith their minor children.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Suman Singh, PS North Rohini.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 2 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

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. Learned ASC for the State submits that investigation in the present FIR is pending and chargesheet has not been filed. In view of the settlement between the parties, learned ASC for the State 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. 632/2023, under Sections 498A/406/506/34 of the IPC, registered at P.S. North Rohini .

11. In the interest of justice, the petition is allowed, and the FIR No. 632/2023, under Sections 498A/406/506/34 of the IPC, registered at P.S. North Rohini, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 28, 2024/sn

Click here to check corrigendum, if any