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

+ **CRL.M.C. 2627/2024**

PRANEET GUPTA

..... Petitioner

Through: Mr. Prabhjit Jauhar, Mr. Bhanu
Thakur, Advocates alongwith
petitioner in person(through VC).

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Munna Ram, P.S.
Safdarjung Enclave.
Mr. Virunder Goswami, Ms. Soni
Singh, Ms. Swati Goswami & Mr.
Parkhi Singh, Advocates for R-2.
R-2 in person through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.04.2024

CRL.M.A. 10019/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is disposed of accordingly.

CRL.M.C. 2627/2024

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 57/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Safdarjung Enclave, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, Mahila Court, Saket Courts, New Delhi.



4. The marriage between the petitioner/husband and the respondent no.2/wife was solemnized on 07.01.2002 as per Hindu Rites and Customs and one male child was born out of the said wedlock.
5. Due to matrimonial differences between petitioner and respondent no. 2, the parties resided separately from 26.12.2017. Subsequently, respondent no.2/complainant lodged a complaint against the petitioner. It is pointed out that parents of the petitioner were also named in the FIR, however, they were kept in column no. 12 and not summoned.
6. On 01.09.2023, parties arrived at a settlement and as per the said settlement deed, the petitioner has agreed to pay an amount of Rs.6, 25,00,000/- 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 P-3 Colly).
7. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 08.12.2023, passed by Ms. Shunali Gupta, Judge-02, Family Court, South, Saket, New Delhi (Annexure P-4 Colly). Further, as per the settlement deed, the aforesaid amount of Rs. 6,25,00,000/- has already been paid to respondent no. 2, who acknowledges the receipt of the same. As per the said settlement, custody of the minor child will be with the respondent no. 2 and the petitioner and his family members shall have no visitation rights.
8. The petitioner and complainant/respondent no. 2 appear through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Munna Ram, P.S. Safdarjung Enclave.
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



against the petitioners. She further states that all the terms of the settlement 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, 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 proceedings.”

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. 57/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Safdarjung Enclave, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, Mahila Court, Saket Courts, New Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 57/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Safdarjung Enclave, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Sana Khan, learned Metropolitan Magistrate, Mahila Court,



Saket Courts, New 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

APRIL 03, 2024/bsr

Click here to check corrigendum, if any