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

+ **CRL.M.C. 2786/2024**

GAUTAM & ORS.

..... Petitioners

Through: Mr. Sunil Kumar, Mr. Shubham
Thakur, Advocates alongwith
petitioners in person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with ASI Hira Lal,
P.S.Dayalpur.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

08.04.2024

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CRL.M.A. 10587/2024 (Exemption)

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

CRL.M.C. 2786/2024

3. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 11/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Dayalpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioners submits that



petitioner no. 1 and respondent no. 2 were in a live-in-relationship and one male child was born out of the said live-in relationship between petitioner no. 1 and respondent no. 2. It is pointed out that on account of some misunderstanding between the petitioners and respondent no. 2, the present FIR was registered.

5. It is further submitted that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement *vide* memorandum of understanding dated 02.04.2024 (Annexure-D). In pursuance of the said MoU, respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed. It is further submitted that respondent no. 2 is living peacefully with petitioner no. 1 alongwith their minor child for the last 2.5 years.

6. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, ASI Hira Lal, P.S.Dayalpur.

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. She further states that she is residing peacefully with petitioner no. 1 alongwith their minor child for the last 2.5 years.

8. In view of the settlement between the parties, learned APP for the State also 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. 11/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Dayalpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 11/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Dayalpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 08, 2024/bsr

Click here to check corrigendum, if any