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

+ CRL.M.C. 3580/2023 & CRL.M.A. 13595/2023

SUSHIL SAINI AND OTHERS

..... Petitioners

Through: Mr. Faiz Imam and Mr. Rajender
Babu, Advocates alongwith
petitioners in person.

versus

STATE OF N.C.T. OF DELHI AND ANOTHER Respondents

Through: Mr. Aashneet Singh, APP for the
State.
SI Sunder and ASI Sujan Singh, PS
Nangloi.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

26.02.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 885/2015, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sonam Singh, learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 15.02.2015 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 26.02.2015. Subsequently, respondent no.2/complainant registered an FIR against



petitioner no.1 (husband), petitioner no. 2 (mother-in-law), petitioner no. 3 (father-in-law) and petitioner no. 4 (brother-in-law) and two sisters-in-law (not a party to the present petition).

5. On 29.03.2016, parties arrived at a settlement. The copy of the aforesaid settlement is on record (Annexure P-2).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 12.10.2016, passed by Dr. Sarita Gupta, District & Sessions Judge, Family Court-I, Faridabad (Annexure P-3).

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Sunder, PS Nangloi.

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. 885/2015, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sonam Singh, learned Metropolitan Magistrate, Tis Hazari Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 885/2015, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Sonam Singh, learned Metropolitan Magistrate, 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

FEBRUARY 26, 2024/sn