



\$~26

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

+ CRL.M.C. 2970/2024 & CRL.M.A. 11375/2024 (Exemption)

SH. CHHATTAR PAL KHARI

..... Petitioner

Through: Mr. Karnail Singh, Mr. Jatin
Chaudhary and Mr. Karan Bidhuri,
Advocates alongwith P-1 and P-3 to
P-9 in person and P-2 through VC.

versus

STATE GNCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the
State.
SI Manish Tyagi and SI Himanshu,
PS Govind Puri.
Mohd. Irfan, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **16.04.2024**

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 387/2020, under Sections 498A/406 of the IPC, registered at P.S. Govindpuri.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 10.12.2017 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 08.05.2019. Subsequently, respondent no.2/complainant registered an FIR against the petitioners.
5. On 05.02.2024, parties arrived at a settlement before Counselling



Cell, Family Court, South-East District, Saket Court, New Delhi and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 1,25,00,000/- 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. The copy of the aforesaid settlement deed dated 05.02.2024 has been placed on record as Annexure A-2.

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 19.03.2024, passed by Shri Gurvinder Pal Singh, learned Principal Judge, Family Court (South-East), Saket Courts, Delhi (Annexure A-3). Further, as per the settlement deed, an amount of Rs. 1,00,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 25,00,000/- has been paid to her in Court today, by means of a demand draft.

7. Petitioners no. 1, 3 to 9 and complainant/respondent no. 2 are present before the Court and petitioner no. 2 appears through video conferencing and they have been duly identified by their respective counsel, as well as the Investigating Officer, SI Manish Tyagi, PS Govind Puri.

8. A demand draft bearing no. 015986 dated 08.04.2024 for Rs. 25,00,000/- drawn on HDFC Bank has been handed over to the complainant/Respondent No.2, who acknowledges the receipt of the same.

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. She further states that all the terms of the agreement have been complied with.

10. Learned APP for the State submits that investigation in the present FIR is not complete and chargesheet has not been filed. 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, 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.”

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. 387/2020, under Sections 498A/406 of the IPC, registered at P.S. Govindpuri.

13. In the interest of justice, the petition is allowed, and the FIR No. 387/2020, under Sections 498A/406 of the IPC, registered at P.S. Govindpuri, 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 16, 2024/sn

[Click here to check corrigendum, if any](#)