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

+ CRL.M.C. 2983/2024 & CRL.M.A. 11447/2024 (Exemption)

SOUMENDU DAS & ANR.

..... Petitioners

Through: Mr. Navneet Singh, Mr. Rajesh Yadav, Ms. Seema D., Mr. Ankit Y. and Mr. Vijay N., Advocates
alongwith petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State.
ASI Partap Singh, PS Nihal Vihar.
Ms. Ashima Khan, Advocate for R-2.
R-2 through VC.
Mr. Mahender Sharma, Father
of R-2 is present in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

16.04.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 27/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Aakansha Gautam, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 22.02.2019 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 after September 2019. Subsequently, respondent no.2/complainant registered an FIR against petitioner no.1 (husband) and petitioner no. 2 (mother-in-law).

5. On 04.07.2022, parties arrived at a settlement before Counselling Cell, Family Courts, West District, Tis Hazari Courts, Delhi and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 50,000/- to 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 04.07.2022 is on record (Annexure P-J).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 25.03.2023, passed by Shri Raj Kumar Tripathi, Judge, Family Court-01 (West), Tis Hazari Courts, Delhi. Further, as per the settlement deed, the total amount of Rs. 50,000/- has already been paid to respondent no.2. It is pointed out that a gold ring belonging to respondent no. 2/complainant has been handed over to her father, Mr. Mahender Sharma, who is present in Court today.

7. Petitioners are present before the Court and the complainant/respondent no. 2 appears through video conferencing and they have been duly identified by their respective counsel, as well as the Investigating Officer, ASI Partap Singh, PS Nihal Vihar.

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. 27/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Aakansha Gautam, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 27/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Nihal Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Aakansha Gautam, learned Metropolitan Magistrate, Mahila Court (West), 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

APRIL 16, 2024/sn

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