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

+ **W.P.(CRL) 1176/2024, CRL.M.A. 11343/2024**

**GURPREET SINGH AND ANR**

.....Petitioners

Through: Mr. Yogendra Kumar, Adv. with  
petitioners.

versus

**GNCT OF DELHI AND ORS**

.....Respondents

Through: Mr. Sanjay Lao, Standing counsel for  
State and IO/SI Sunil, PS Tilak  
Nagar.  
Mr. Tajinder Singh, Adv. with R-3.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**06.08.2024**

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**CRL.M.A. 11342/2024**

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

**W.P.(CRL) 1176/2024**

3. The present petition has been filed under Section 482 Cr.P.C. r/w Article 226 of the Constitution of India seeking quashing of FIR No. 680/2018 under Section 498A/406/34 IPC registered at PS Tilak Nagar, Delhi.
4. Learned Counsel for the petitioner submits that Respondent no.3/complainant married petitioner no.1 on 28.04.2017 in accordance with the Sikh Rites and Ceremonies and no child was born out of the



said wedlock. However, on account of temperamental differences and mental incompatibility, the parties started living separately since 13.08.2017 and instituted multiple litigations against each other and their respective families including the present FIR.

5. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably as recorded in the statement in HMA No. 71/2021 dated 25.11.2021, the parties in their statement have stated as under:

- “4. We have amicably resolved all our disputes pertaining to this marriage including stridhan, permanent alimony, dowry articles and maintenance (past, present & future) of petitioner no.2 for a sum of Rs.1,80,000/- only and articles as per the settlement dt. 10.04.2019 arrived between us before Counselling Cell, Family Court, Tis Hazari Court, Delhi. Out of the said settled amount, a sum of Rs.50,000/- has been paid to petitioner no.2 by petitioner no.1 vide demand draft bearing No.001526 dated 08.08.2019 drawn on HDFC Bank at the time of recording of the statement in first motion. A sum of Rs.50,000/- has been paid today vide cheque bearing no. 000056 dated 25.11.2021 drawn on HDFC Bank, Bhikaji Cama Place, New Delhi AND articles as per the list annexed with the counselling settlement has been handed over today to petitioner no.2 by petitioner no.1. The remaining balance amount of Rs.80,000/- shall be paid to petitioner no.2 by petitioner no.1 at the time of quashing of the FIR bearing no. 680/18, PS- Tilak Nagar, u/s 498A/406/34 IPC before the Hon'ble High Court of Delhi. Petitioner no.2 undertakes to cooperate with petitioner no. 1 in quashing of the FIR. There is no other litigation pending between us before any Court.*
5. *We have also agreed that we will not initiate any litigation or will not raise any claim in future against each other and the family members and relatives of each other.”*



6. It is submitted by both parties that the marriage between them has already been dissolved on 25.11.2021.
7. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No. 680/2018 under Section 498A/406/34 IPC registered at PS Tilak Nagar, Delhi and all the other proceedings emanating therefrom.
8. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non- compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon: ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675; ***K. Srinivas Rao v. D.A.Deepa***, (2013) 5SCC 226; ***Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another***, 2019 SCC OnLine Del 8179.
9. Both parties are present in court and have duly been identified by the IO. Respondent No. 3 submits that she has entered the settlement voluntarily without any fear, force, or coercion. She submits that other petitions have already been withdrawn or dismissed. And since the marriage between the parties has also been dissolved, she has no objection if FIR No. 680/2018 under Section 498A/406/34 IPC registered at PS Tilak Nagar, Delhi and all the other proceedings emanating therefrom are quashed.



10. Taking into account and the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.
11. In view of the above, FIR No. 680/2018 under Section 498A/406/34 IPC registered at PS Tilak Nagar, Delhi and all the other proceedings emanating therefrom are quashed.
12. The present petition along with all the pending applications stand disposed of.

**DINESH KUMAR SHARMA, J**

**AUGUST 6, 2024/AR/DG..**