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

+ **W.P.(CRL) 1181/2024**

SAHIL MACDONALD SINGH

..... Petitioner

Through: Mr. Amit Kumar, Mr. Hemant Kr. Srivasta, Advs. with petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel for State with Mr. Abhinav Kr. Arya, Adv. alongwith WSI Radha & ASI Neeraj Rana, P.S. Begumpur. Dr. Kanika Sawhney, Mr. Vikas Kumar Bhadanas & Mr. Mayank Sawhney & Ms. Bhavya Gautam, Advs. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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13.05.2024

1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 0018/2019, under Sections 498A/406 IPC, registered at P.S. Begumpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent



no.2/wife was solemnized on 14.06.2017 as per Christian 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 23.12.2017. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner and other family members, who are not a party to the present petition.

5. On 19.08.2019, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 3,85,000/-, which was further enhanced mutually to Rs. 4,00,000/- 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 dated 19.08.2019 is on record (Annexure P-4 Colly).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 05.06.2023, passed by Shri Gurvinder Pal Singh, Principal Judge, Family Court, North West District, Rohini, Delhi (Annexure P-6 Colly). Further, as per the settlement deed, an amount of Rs. 3,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 1,00,000/- has been paid to her in court today, by means of a demand draft.

7. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsels, as well as the Investigating Officer, WSI Radha, Police station Begumpur.

8. A demand draft bearing no. 015988 dated 08.05.2024 for Rs.



1,00,000/- 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. 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. 0018/2019, under Sections 498A/406 IPC, registered at P.S. Begumpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 0018/2019, under Sections 498A/406 IPC, registered at P.S. Begumpur and all other consequential proceedings emanating therefrom, including the



chargesheet pending before the Court of Ms. Preeti Rajoria, learned Metropolitan Magistrate, Rohini Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 13, 2024/nk

Click here to check corrigendum, if any