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

+ CRL.M.C. 3000/2024 & CRL.M.A. 11549/2024 (Exemption)

JASWANT SINGH & ANR

..... Petitioners

Through: Mr. Saurabh Sachdeva, Advocate
alongwith petitioner no. 1 in person
and petitioner no. 2 through VC.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.

ASI Sunita, PS CAW Cell

Nanakpura.

Mr. Manmohan Singh, Advocate for
R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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22.04.2024

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 160/2017, under Sections 498A/406/34 of the IPC, registered at P.S. CAW Cell, Nanakpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Abhilash Singh, learned Metropolitan Magistrate, (South-West), Dwarka Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 22.01.2017 as per Sikh 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 20.02.2017.



Subsequently, respondent no.2/complainant registered an FIR against petitioner no.1 (husband), petitioner no. 2 (sister-in-law) and Late Sh. Mehar Singh (father-in-law) and Late Smt. Gurcharan Kaur (mother-in-law), who has since passed away. It is pointed out that the death certificates of both the deceased accused persons have been placed on record as Annexure P6.

5. On 09.10.2023, parties arrived at a settlement before Delhi Mediation Centre, Tis Hazari Courts, Delhi and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 50,00,000/- 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 09.10.2023 is on record (Annexure P4).

6. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 07.12.2023, passed by Shri Raj Kumar Tripathi, Judge, Family Court (West), Tis Hazari Courts, Delhi (Annexure P-5). Further, as per the settlement deed, an amount of Rs. 30,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 20,00,000/- has been paid to her in Court today, by means of a demand draft.

7. Petitioner no. 1 and complainant/respondent no. 2 are present before the Court and petitioner no. 2 through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, ASI Sunita, PS CAW Cell, Nanakpura.

8. A demand draft bearing no. 664766 dated 05.04.2024 for Rs. 20,00,000/- drawn on Canara Bank, Vikaspuri, Delhi, has been handed over to 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. 160/2017, under Sections 498A/406/34 of the IPC, registered at P.S. CAW Cell, Nanakpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Abhilash Singh, learned Metropolitan Magistrate, (South-West), Dwarka Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 160/2017, under Sections 498A/406/34 of the IPC, registered at P.S. CAW Cell, Nanakpura and all other consequential proceedings emanating



therefrom, including the chargesheet pending before the Court of Ms. Abhilash Singh, learned Metropolitan Magistrate, (South-West), Dwarka 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

APRIL 22, 2024/sn

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