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

+ CRL.M.C. 3053/2024 & CRL.M.A. 11771/2024Exemption

AMIT GUPTA AND OTHERS

..... Petitioners

Through: Mr. Mukul Kumar Gupta & Mr.
Ankit Gupta, Advs. with petitioner
no.1,4,8,9,10 and 11 in person.
Petitioner no.3, 5, 6, 7 and 12 through
VC.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Juli Goswami, P.S.
Anand Vihar.
Mr. Sujeet Kumar Gupta, Mr. Lalit
Sharma, Ms. Renuka Sharma & Ms.
Monika Khatri, Advs. for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

23.04.2024

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1. The present writ petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 411 /2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Mahila Court -02, Shahdara, Karkardooma Courts, Delhi.



2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 15.02.1997 as per Hindu rites and customs and two children were born out of the said wedlock.

3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 19.08.2021. Subsequently, respondent no.2/complainant lodged a complaint against the petitioners.

4. It is submitted that during the pendency of the aforesaid proceedings, petitioner no.2 has expired.

5. Learned counsel for the petitioner submits that in pursuance of the Settlement Agreement dated 08.01.2024, parties arrived at a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi. It is further stated that the parties are living together, at their matrimonial home, since 08.01.2024, alongwith their children, who are major now.

6. Petitioners no. 1,4,8,9,10 and 11.and complainant/respondent no. 2 are present before the Court and Petitioner no.3, 5, 6, 7 and 12 are present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Juli Goswami, P.S. Anand Vihar.

7. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 since 26.10.2021 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

8. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

9. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, 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 proceedings.”

10. 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. 411/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Mahila Court - 02, Shahdara, Karkardooma Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 411/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Isra Zaidi, learned Metropolitan Magistrate, Mahila Court -02, Shahdara, Karkardooma Courts, Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 23, 2024/nk

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