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

+ CRL.M.C. 3066/2024 & CRL.M.A. 11852/2024 (Stay)

DHARMENDRA KUMAR CHAUDHARY & ORS..... Petitioners

Through: Mr. Ashish Kr. Pandey and Mr. K.D. Pandey, Advocates.
Petitioners through VC.

versus

**GOVT. OF N.C.T. OF DELHI THROUGH STATION HOUSE
OFFICER NANGLOI POLICE STATION & ANR.....** Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State.
SI Sunder Singh and SI Naresh Kumar, PS Nangloi.
Mr. Lalit Khurana, Advocate for R-2 (through VC).
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **23.04.2024**

1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 305/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sonam Gupta, 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 30.01.2015 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 from 02.06.2016. Subsequently, respondent no.2/complainant registered an FIR against the petitioners.

5. On 17.11.2022, parties arrived at a Memorandum of Settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 14,25,000/- 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.

6. In terms of the said settlement, the marriage between the petitioner no. 1 and the respondent no. 2 stands dissolved by a decree of divorce dated 11.12.2023, passed by Ms. Charu Aggarwal, Judge, Family Court-01 (West), Tis Hazari Courts, Delhi. Further, as per the settlement deed, an amount of Rs. 11,25,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 3,00,000/- has been transferred to the bank account of respondent no. 2, by way of NEFT/RTGS (Cheque No. 948315), who acknowledges the receipt of the same.

7. Petitioners and complainant/respondent no. 2 are present before the Court through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Naresh Kumar, PS Nangloi.

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 alongwith other proceedings emanating therefrom are 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. 305/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sonam Gupta, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 305/2018, under Sections 498A/406/34 of the IPC, registered at P.S. Nangloi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Sonam Gupta, 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 23, 2024/sn

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