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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3160/2024**
PRABHJEET SINGH & ANR. Petitioners

Through: Ms. Anjana Prabhakar and Mr. Harsh
Prabhakar, Advs.

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for State.
SI Sandeep Singh, PS: Ranjit Nagar.
Mr. Rahul Bhati and Mr. Deepanshu
Shahi, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER
25.04.2024

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CRL.M.A. 12221/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 3160/2024

3. This petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 372/2020 dated 02.11.2020 under Sections 498A/406/34 of Indian Penal Code, 1860 ('IPC') registered at P.S.: Ranjit Nagar, Delhi and proceedings emanating therefrom.
4. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No.2 in person appear on advance



notice and accept notice.

5. In brief, as per the case of the petitioners, marriage between petitioner No.1 and respondent No.2 was solemnized according to Sikh rites and ceremonies on 09.03.2008. A child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 20.04.2020. Subsequently, present FIR was registered on the complaint of respondent No.2, on 02.11.2020.

6. However, the disputes are stated to have been amicably settled between the parties *vide* Compromise Deed dated 13.09.2023. The marriage between petitioner No.1 and respondent No.2 has been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 *vide* judgment dated 22.09.2023.

7. Total settlement amount of Rs.14,00,000/- was to be paid by the petitioners to respondent No.2. The amount of Rs.10,00,000/- has already been paid and the balance amount of Rs.4,00,000/- has been paid to respondent No.2 today through DD No. 562035 dated 22.04.2024 drawn on IndusInd Bank, Raj Nagar Extension, Ghaziabad Branch in favour of respondent No.2.

8. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

9. Petitioners and respondent No.2 are present in person and have been identified by SI Sandeep Singh, PS: Ranjeet Nagar, Delhi. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the



parties and she has no objection in case the FIR in question is quashed.

10. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 372/2020 dated 02.11.2020 under Sections 498A/406/34 IPC registered at P.S.: Ranjit Nagar, Delhi and proceedings emanating therefrom stand quashed.

11. It is made clear that in view of the dictum of the Hon'ble Supreme Court in the case of *Ganesh v. Sudhirkumar Shrivastava and Others*¹, the terms of settlement between petitioner No.1 and respondent No.2 will not come in the way of their child enforcing his rights against the parties, if and when he chooses to do so.

12. Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

APRIL 25, 2024/p

PURUSHAINDRA KUMAR KAURAV, J.

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

¹ (2020) 20 SCC 787