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

+ **CRL.M.C. 3220/2024**

MOHD LATIF & ANR.

..... Petitioners

Through: Mr. Subhash Solanki & Mr. Abhay
Bhati, Advocates alongwith
petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Manish Tyagi, P.S.
Govind Puri.
Respondent no. 2 in person.

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

ORDER

% **26.04.2024**

CRL.M.A. 12411/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 3220/2024

3. The present petition under Section 482 Cr.P.C. seeks quashing of FIR No. 318/2017, under Sections 354/323 of the IPC, registered at P.S. Govind Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate, Saket Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioners submits that



petitioner no. 1 is brother-in-law and petitioner no. 2 is the husband of respondent no. 2 and on account of matrimonial dispute between the parties, the present FIR was registered. It is further submitted that during the pendency of the aforesaid proceedings, the parties have arrived at a settlement *vide* Memorandum of Understanding (MoU) dated 07.03.2024. It is further submitted that the marriage between petitioner no. 2 and respondent no. 2 has since been dissolved by divorce.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Manish Tyagi, P.S. Govind Puri.

6. 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 against the petitioners.

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

8. 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.”

9. 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 FIR No. 318/2017, under Sections 354/323 of the IPC, registered at P.S. Govind Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate, Saket Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 318/2017, under Sections 354/323 of the IPC, registered at P.S. Govind Puri, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate, Saket Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

APRIL 26, 2024/bsr

Click here to check corrigendum, if any