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

+ **W.P.(CRL) 1232/2024**

SUKHBIR SINGH & ORS.

..... Petitioners

Through: Mr. Parmesh Kumar, Advocate
alongwith petitioners in person.

versus

STATE THROUGH THE NCT OF DELHI & ANR..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Shivesh
Kaushik & Mr. Abhinav Kumar Arya,
Advocates.
SI Arun Kumar, P.S. South Rohini.
Mr. S.K. Mahla, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

24.04.2024

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1. The present writ petition under Article 226/227 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 265/2022, under Sections 498A/406/34 of the IPC, registered at P.S. South Rohini.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 07.03.2010 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 to reside separately. Subsequently,



respondent no.2/complainant lodged an FIR against the petitioners.

4. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the investigation, the latter and respondent no. 2 have settled their dispute, in pursuance of which respondent no. 2 has no objection, if the FIR is quashed. An affidavit to that effect has been placed on record. It is further submitted that respondent no. 2 is living peacefully with petitioner no. 1 alongwith their minor children at her matrimonial home for the last two years.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Arun Kumar, P.S. South Rohini.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living peacefully with petitioner no. 1 alongwith their minor children at their matrimonial home for the last two years and she has no objection if the FIR is quashed against the petitioners.

7. Learned Standing Counsel for the State submits that investigation in the present FIR is pending and chargesheet is yet to be filed. In view of the settlement between the parties, learned Standing Counsel 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 present FIR No. 265/2022, under Sections 498A/406/34 of the IPC, registered at P.S. South Rohini.

10. In the interest of justice, the petition is allowed, and the FIR No. 265/2022, under Sections 498A/406/34 of the IPC, registered at P.S. South Rohini, 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 24, 2024/bsr

Click here to check corrigendum, if any