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

+ **CRL.M.C. 4301/2023**

SH. PANKAJ BHADORIYA & ORS.

.....Petitioners

Through: Ms. Garima Jindal, Advocate
alongwith petitioners in person.

versus

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

Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma,
Advocate.

SI Anil Balayan, PS Aman Vihar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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25.03.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 8689/2025 (Exemption)

2. Exemption allowed, subject to just exceptions. Application disposed of accordingly.

CRL.M.A. 8688/2025 (delay of 300 days)

3. The present application under Section 5 of the Limitation Act, 1963 seeks condonation of delay of 300 days in filing the application for restoration of the captioned petition.

4. In view of the averments made in the application, the same is allowed and disposed of.

5. The delay of 300 days in filing the application for restoration of the captioned petition is hereby condoned.



CRL.M.A. 8687/2025 (for restoration)

6. The present application under Section 482 of the CrPC seeks following prayers:-

“A. To restore the quashing petition having case no. CRL.M.C. No. 4301 of 2023 dismissed vide order dated 22.04.2024, in the interest of justice.
B. Pass any other or further order which this Hon’ble Court deems fit, proper and expedite, in the given facts and circumstances of the case, in favour of the petitioner and against the respondent, in the interest of justice.”

7. Issue notice.

8. Learned APP for the State accepts notice and fairly does not oppose the present application.

9. In view of the above, the present application is allowed and disposed of accordingly.

10. The captioned petition is restored to its original position.

CRL.M.C. 4301/2023

11. The present petition filed under Article 227 of the Constitution of India read with Section 482 of the CrPC seeks quashing of FIR No. 691/2013, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts, Delhi.

12. The marriage between petitioner No. 1/husband and respondent No.2/wife was solemnized on 19.06.2006 as per Hindu rites and ceremonies and twin girls were born out of the said wedlock.

13. Due to matrimonial differences between petitioner No.1 and respondent No. 2, the parties started residing separately. Subsequently,



respondent No.2/complainant registered an FIR against petitioner No. 1 (husband), petitioner No. 2 (mother-in-law) and petitioner No. 3 (brother-in-law).

14. On 18.01.2019, parties arrived at a settlement and as per the said settlement deed, petitioner No. 1 has agreed to pay an amount of Rs.3,00,000/- 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.

15. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 04.03.2022, passed by Ms. Preeti Agrawal Gupta, Judge, Family Courts, North-West, Rohini Courts, Delhi (Annexure D). Further, as per the settlement deed, the total amount of Rs. 3,00,000/- has already been paid to respondent No.2. As per the said settlement, custody of the minor girls will be with the respondent No. 2 and the petitioner No. 1 will have no visitation rights.

16. Petitioners and complainant/respondent No. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Anil Balayan, PS Aman Vihar.

17. 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. She further states that all the terms of the settlement have been complied with. Parties have undertaken to abide by their reciprocal obligations as agreed in the aforesaid settlement deed.

18. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR along with the pending chargesheet is quashed.



19. 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.”

20. 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. 691/2013, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts, Delhi.

21. In the interest of justice, the petition is allowed, and the FIR No. 691/2013, under Sections 498A/406/34 of the IPC, registered at P.S. Aman Vihar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti Rajoria, learned JMFC, Rohini Courts, Delhi, is hereby quashed.

22. It is, however, directed that this order shall not come in the way of the minor girls in claiming her rights of inheritance, maintenance, educational and marriage expenses, etc. against any of the parties.

23. Petition is allowed and disposed of accordingly.



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

AMIT SHARMA, J

MARCH 25, 2025/sn

Click here to check corrigendum, if any