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

+ **CRL.M.C. 3572/2024**

DINESH SINGH AND ORS

..... Petitioners

Through: Mr. Vikram Singh, Mr. Roopenshu Pratap Singh, Mr. Manish Sharma & Mr. Madhur Gupta, Advs. with petitioners in person.

versus

THE STATE OF DELHI (NCT) AND ANR

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State.
SI Madhu, P.S. Mandir Marg.
Mr. Ashish Kapoor, Adv. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

27.05.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 72/2014, under Section 498A/406/506/34 IPC and Sections 3 & 4 of the Dowry Prohibition Act, registered at PS Mandir Marg, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Garg, Learned Metropolitan Magistrate, Patiala House Courts, New Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 07.03.2002 under Special Marriage Act and two children i.e. one male child and one female child were born out of the



said wedlock.

3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 07.05.2013. Subsequently, respondent no.2/ the complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (mother-in-law) and petitioner no. 3 (father-in-law).

4. On 01.03.2024, the parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 32,50,000/- 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. The said settlement deed is on record at Annexure P-2 colly.

5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 27.04.2024, passed by Ms. Smita Garg, Judge, Family Court-01, South-East District, Saket, New Delhi (Annexure P-2 colly). Further, as per the settlement deed, an amount of Rs. 22,50,000/- has already been paid to respondent no.2/the complainant and the remaining amount of Rs. 10,00,000/- has been paid to her in Court today, by means of demand drafts. As per the said settlement, custody of the minor daughter will be with the petitioner no.1 and the respondent no.2 will have no visitation rights and custody of the minor son will be with the respondent no.2 and the petitioner no.1 will have no visitation rights.

6. The affidavit of petitioner in terms of the order of Hon'ble Supreme Court in **Ganesh vs. Sudhir Kumar Srivastava & Ors., Civil appeal nos. 4031-4032/2019 dated 22.04.2019** has been filed on record.

7. Petitioner no. 1 and respondent no. 2 are present-in-person before



Court and petitioner nos. 2 and 3 are present before the Court through Video Conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Madhu, P.S. Mandir Marg.

8. Demand Draft bearing nos. 098124 and 098125 dated 01.05.2024 for Rs. 5,00,000/- each drawn on HDFC Bank in the name of the Ms. Shalini Singh, complainant/respondent no.2 and of Sashakt Singh/ the minor son, have been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.

9. 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. She further states that all the terms of the settlement have been complied with.

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

11. 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.”

12. 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. 72/2014, under Section 498A/406/506/34 IPC and Sections 3 & 4 of Dowry Prohibition Act, registered at PS Mandir Marg, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Garg, Learned Metropolitan Magistrate, Patiala House Courts, New Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 72/2014, under Section 498A/406/506/34 IPC and Sections 3 & 4 of Dowry Prohibition Act, registered at PS Mandir Marg, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Akanksha Garg, Learned Metropolitan Magistrate, Patiala House Courts, New Delhi, is hereby quashed.

14. It is however directed that this order shall not come in the way of the minor children in claiming their rights of inheritance, maintenance, educational & marriage expenses, etc. against any of the parties.

15. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 27, 2024/nk

Click here to check corrigendum, if any