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

+ **CRL.M.C. 3677/2024**

DEVESH AND ORS.

..... Petitioners

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

versus

THE STATE AND ANR NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Sneha Rao, P.S.
Mayapuri.
Ms. Gopa Biswas, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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08.05.2024

CRL.M.A. 14099/2024 (Exemption)

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

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3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 297/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Mayapuri, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Shivli Talwar, learned Metropolitan Magistrate, Mahila Court, Tis Hazari Courts, Delhi.



4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 30.11.2019 as per Hindu rites and ceremonies. No child was born out of the said wedlock.
5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 24.01.2021. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (mother-in-law) and petitioner no. 3 (father-in-law).
6. Learned counsel appearing on behalf of the petitioners submits that the during the pendency of the aforesaid proceedings, petitioner no. 1 and respondent no. 2 have arrived at a settlement before Delhi Mediation Centre, Tis Hazari Courts *vide* settlement dated 11.12.2023. In pursuance of which, respondent no. 2 is residing peacefully with petitioner no. 1 at their matrimonial home since 11.12.2023.
7. 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 Sneha Rao, P.S. Mayapuri.
8. 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. She further states that she is residing peacefully with petitioner no. 1 at their matrimonial home since 11.12.2023.
9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.
10. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the 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 proceeding.”

11. 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. 297/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Mayapuri, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Shivli Talwar, learned Metropolitan Magistrate, Mahila Court, Tis Hazari Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 297/2021, under Sections 498A/406/34 of the IPC, registered at P.S. Mayapuri, and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Shivli Talwar, learned Metropolitan Magistrate, Mahila Court, Tis Hazari Courts, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 8, 2024/bsr

Click here to check corrigendum, if any