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

+ **CRL.M.C. 3733/2024**

SANJAY SINGH AND ANR

..... Petitioners

Through: Mr. Narendra Sharma & Ms. Smita
Kumari Rajgarhia, Advs. with
petitioners in person.

versus

THE STATE (GNCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Manish Tyagi, P.S.
Govind Puri.
Mr. Shashank Datta Viashista, Adv.
for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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09.05.2024

1. The present writ petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 250/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Govind Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate-02, Mahila Court, Saket Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 28.01.2007 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 resided separately from each other. Subsequently, respondent no.2/complainant lodged an FIR against the



petitioners.

4. Learned counsel for the petitioner submitted that *vide* a Memorandum of Understanding dated 21.11.2023, parties arrived at settlement whereby with the intervention of family relatives and friends, they have amicably resolved their disputes. It is further submitted that in view of the said settlement, respondent no. 2/complainant is residing with the petitioner alongwith their children at their matrimonial home for the last 6 months.

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, with SI Manish Tyagi, P.S.Govind Puri..

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 alongwith their children at their matrimonial home for the last 6 months 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 present FIR No. 250/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Govind Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate -02, Mahila Court, Saket Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 250/2016, under Sections 498A/406/34 of the IPC, registered at P.S. Govind Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Neha Saini, learned Metropolitan Magistrate, Mahila Court -02, 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

MAY 9, 2024/nk

[Click here to check corrigendum, if any](#)