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

+ **CRL.M.C. 4117/2024 & CRL.M.A. 15652/2024 (exemption)**

VIVEK SHARMA & ORS.

..... Petitioners

Through: Mr. Pankaj Rai and Ms. Bhawna
Sharma, Advocates alongwith
petitioners in person.

versus

THE STATE (GNCT OF DELHI)

THROUGH SHO, P.S. KARAWAL NAGAR & ANR....Respondents

Through: Mr. Hemant Mehla, APP for the State
with Ms. Mridul Sharma, Advocate.
SI Amar Pal, PS Karawal Nagar.
Mr. Satyendra Kumar Sharma,
Advocate for R-2 alongwith R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.05.2024

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1. The present writ petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 133/2021, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu Chaudhary, Learned Metropolitan Magistrate, (North-East), Karkardooma Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 12.03.2018 as per Hindu rites and customs and one daughter was 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 09.05.2019. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.

4. Learned counsel for the petitioner submits that in pursuance of the Memorandum of Understanding dated 15.12.2023, parties arrived at settlement. It is further stated that the parties have been residing together, at their matrimonial home, since 27.12.2023 alongwith their minor daughter.

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 Amar Pal, PS Karawal Nagar.

6. The Complainant/respondent No.2 states that the matter has been settled and she has been living with petitioner no. 1 since 27.12.2023 at their matrimonial home 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. 133/2021, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu Chaudhary, Learned Metropolitan Magistrate, (North-East), Karkardooma Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 133/2021, under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, registered at P.S. Karawal Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu Chaudhary, Learned Metropolitan Magistrate, (North-East), Karkardooma Courts, Delhi, are hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 20, 2024/sn

Click here to check corrigendum, if any