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

+ **CRL.M.C. 4326/2024**

RAVI SRIVASTAVA & ORS. Petitioners

Through: Mr. Kushdeep Gaur, Advocate
alongwith petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Manish Kumar, P.S. Sarai
Rohilla.
Respondent no. 2 in person.

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

ORDER
27.05.2024

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1. The matter has been received on transfer.

CRL.M.A. 16450/2024 (exemption)

2. Exemption allowed, subject to all just exceptions.

3. The application is accordingly disposed of.

CRL.M.C. 4326/2024

4. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of FIR No. 243/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Charu Asiwal, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.



5. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 16.02.2020 as per Hindu rites and ceremonies. One child was born out of the said wedlock.

6. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.

7. Learned counsel appearing on behalf of the petitioners submits that during the pendency of the present proceedings, petitioner no. 1 and respondent no. 2 have arrived at a settlement before Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* settlement dated 23.02.2024. In pursuance of the said settlement, respondent no. 2 has no objection, if the present FIR is quashed. It is further submitted that respondent no. 2 is living peacefully with petitioner no. 1 alongwith their minor child at their matrimonial home since 23.02.2024.

8. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Manish Kumar, P.S. Sarai Rohilla.

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. She further states that she is living peacefully with petitioner no. 1 alongwith their minor child at their matrimonial home since 23.02.2024.

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, 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.”

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. 243/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Charu Asiwat, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 243/2022, under Sections 498A/406/34 of the IPC, registered at P.S. Sarai Rohilla and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Charu Asiwat, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi, are hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MAY 27, 2024/bsr

Click here to check corrigendum, if any