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

+ CRL.M.C. 4364/2024 & CRL.M.A. 16567/2024 (Exemption)

MOHD. YUSUF & ORS.

..... Petitioners

Through: Mr. Gaurav Bhatt and Mr. Tariq
Jameel, Advocates alongwith
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.

SI Akash Kumar, PS Bhajanpura.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

27.05.2024

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1. The present writ petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 226/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Bhajanpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, Karkardooma Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 24.07.2007 as per Muslim rites and customs and four daughters were born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately. Subsequently, respondent no.2/complainant lodged an FIR against the petitioners.



4. Learned counsel for the petitioner submits that in pursuance of the Compromise Deed dated 20.05.2024, parties arrived at settlement. It is further stated that the parties are living together, at their matrimonial home, for the last five years, alongwith their minor daughters.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Akash Kumar, PS Bhajanpura.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 for the last five years 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. 226/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Bhajanpura and all other consequential



proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, Karkardooma Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 226/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Bhajanpura and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Renu Chaudhary, learned Metropolitan Magistrate, Mahila Court, 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 27, 2024/sn

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