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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4706/2024 & CRL.M.A. 17590/2024 (Stay), CRL.M.A.
17591/2024 (Exemption)

VINEET KHANDELWAL & ORS. Petitioners

Through: Mr. Satyam Pandey, Adv. with
petitioner no.1 in person.
petitioner no. 2 to 4 through VC.

versus

THE STATE NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State.
SI Shiwangi, P.S. Barakhamba Road.
Mr. Vikash Kumar Sinha & Mr.
Anupam Dwivedi, Advs. for R-2 with
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
31.05.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 140/2013, under Section 498A/406/34 IPC, registered at PS Barakhamba Road, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Komal Garg, learned Metropolitan Magistrate, Patiala House Courts, New Delhi.
2. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 26.11.1995 as per Hindu Rites and Customs and one male child 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 Since 2009. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (father-in-law) petitioner no. 3 (mother-in-law) and petitioner no.4 (sister-in-law).

4. On 06.04.2023, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 10,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. It is pointed out that son out of the wedlock of petitioner no.1 and respondent no.2 has now attained majority and the same has been recorded in the Settlement Agreement also.

5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 03.01.2024, passed by Ms. Sukhvinder Kaur, Principal Judge, Family Court, Patiala House Courts, Delhi (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 7,50,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 2,50,000/- has been paid to her in Court today, by means of a demand draft.

6. Petitioner no.1 and complainant/respondent no. 2 are present before the Court and petitioners nos. 2 to 4 are present through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Shiwangi, P.S. Barakhamba Road.

7. A Demand Draft bearing no. 524163 dated 22.05.2024 for Rs. 2,50,000/- drawn on Yes Bank Ltd. has been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.

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 against the petitioners. She further states that all the terms of the settlement have been complied with.

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, 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.”

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 No. 140/2013, under Section 498A/406/34 IPC, registered at P.S Barakhamba Road, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Komal Garg, learned Metropolitan Magistrate, Patiala House Courts, New Delhi.

12. In the interest of justice, the petition is allowed, and the No. 140/2013, under Section 498A/406/34 IPC, registered at PS Barakhamba Road, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Komal Garg, learned



Metropolitan Magistrate, Patiala House Courts, New 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 31, 2024/nk

Click here to check corrigendum, if any