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

+ **CRL.M.C. 4828/2024**

VIRENDER AND ORS

..... Petitioners

Through: Mr. Paras Hasiya & Ms. Bhavya
Vyay Tangri, Advocates alongwith
petitioners in person.

versus

STATE GOVERNMENT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Hemant Mehla, APP for the
State with SI Maninder Maan, P.S.
Kanjhawala.
Mr. Kamal Sharma, Mr. Rachit
Khandelwal, Mr. Rohit Kumar, Mr.
Mohit Kumar, Advocates for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

31.05.2024

CRL.M.A. 18044/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 4828/2024

3. The present petition filed under Section 482 Cr.P.C. seeks quashing of FIR No. 260/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Kanjhawala and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu,



learned Metropolitan Magistrate, Mahila Court, North-West, Rohini Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 13.02.2011 as per Hindu rites and ceremonies and two children were born out of the said wedlock.

5. 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 herein.

6. Learned counsel appearing on behalf of the petitioner submits during the pendency of the aforesaid proceedings, the parties have arrived at a settlement with the intervention of friends and relatives, in pursuance of which, respondent no. 2 has no objection if the present FIR is quashed. It is further submitted that respondent no. 2 is residing peacefully with petitioner no. 1 alongwith with their minor children at their matrimonial home since 29.04.2024.

7. 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 Maninder Maan, P.S. Kanjhawala.

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. She further states she is residing peacefully with petitioner no. 1 alongwith their minor children at their matrimonial home since 29.04.2024.

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, 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.”

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 FIR No. 260/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Kanjhawala and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu, learned Metropolitan Magistrate, Mahila Court, North-West, Rohini Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 260/2017, under Sections 498A/406/34 of the IPC, registered at P.S. Kanjhawala and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Renu, learned Metropolitan Magistrate, Mahila Court, North-West, Rohini Courts, 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/bsr

Click here to check corrigendum, if any