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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5956/2022**

VIJAY GULATI & ANR.

..... Petitioners

Through: Mr.Rishabh Sahu, Mr.R.Sahu,
Mr.Sameer Sharma, Advs.

versus

STATE (GNCT OF DELHI) & ANR. Respondents

Through: Mr.Aman Usman, APP with SI
Dinesh Tyagi.
Mr.Yash Singhania, Adv. for R-
2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

10.01.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') seeking quashing of FIR No.101/2018 registered with Police Station: Mayur Vihar Ph-1, under Sections 354/323/376 of the Indian Penal Code, 1860 (in short 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The petitioners are the father in law and the brother in law of the respondent no.2. The allegations against the petitioners arise out of a matrimonial dispute leading to filing of the FIR and other litigations.

3. The learned counsels for the parties submit that the parties have settled all of their disputes and have arrived at an amicable settlement on 25.06.2022 by signing a settlement agreement in the mediation proceedings before the Delhi Mediation Centre, Karkardooma Courts,



Delhi in Mediation No. L-2196/22, titled as ***Priyanka Gulati & Anr. Vs. Manish Gulati.***

4. I am informed that pursuant to the settlement agreement, a Decree of Divorce has also been granted by the learned Family Court dissolving the marriage between the respondent no.2 and her husband, son of the petitioner no.1, on 12.12.2023.

5. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). The Respondent no.2 affirms that she has settled the disputes with the petitioners of her own free will and without any coercion. She states that she has no objection to quashing of the FIR.

6. In view of the above and considering the settlement agreement entered into between the parties and the chances of conviction of the petitioners being remote and bleak, and in view of the principles enunciated by the Supreme Court in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303, ***Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.***, (2017) 9 SCC 641, ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 335; and ***Kapil Gupta vs. State (NCT of Delhi) & Anr.***, 2022 SCC OnLine SC 1030, I find that no useful purpose would be served in continuing with the criminal proceedings as it would be an unnecessary burden on the State exchequer.

7. Accordingly, FIR No.101/2018 registered with Police Station: Mayur Vihar Ph-1, under Sections 354/323/376 of the IPC, along with all other proceedings emanating therefrom, are quashed, subject to the condition that the petitioners deposit costs of Rs.30,000/- with the



Delhi State Legal Services Authority within a period of two weeks from today. The amount so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the Acid attack Victims requiring such assistance.

8. The petitioners shall file, with the Registry of this Court, proof of the deposit of the above costs, and also supply a copy thereof to the concerned IO within the said period.

9. The petition is allowed in the above terms.

NAVIN CHAWLA, J

JANUARY 10, 2024

RN/ss

Click here to check corrigendum, if any