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

+ **CRL.M.C. 6644/2024, CRL.M.A. 25378/2024**

RAM LAL

.....Petitioner

Through: Mr. Raja Panda, Ms. Rasmita Kumari
Devi, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Ms. Kiran Bairwa, APP for the State
with SI Vipin Rath, PS Tigri
Mr. Vipin Kumar Pal, Adv. for R-2
(VC)

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

08.10.2024

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CRL.M.A. 25378/2024 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 6644/2024

1. The present petition has been filed seeking quashing of FIR No.57/2019 registered at PS Tigri, under Sections 498A/406/34 IPC.
1. Learned Counsel for the petitioner submits that Respondent no.2/complainant married to the son (deceased) of the petitioner no.1 on 12.11.2006 in accordance with the Hindu Rites and Ceremonies. However, on account of temperamental differences and mental incompatibility, the parties started living separately and instituted multiple litigations against each other and their respective families including the present FIR.



2. However during the investigation the husband of the Respondent No.2 died on 10.01.2020 due to health issues and later the Petitioner was made accused in the petition by the Respondent No.2.
3. Learned Counsel further submits that during the pendency of the proceedings, the parties have resolved their disputes amicably, and in furtherance thereof, they have entered into a settlement before the Ld. District & Session Judge, South, Saket Court, New Delhi vide order dated 16.02.2023.
2. Furthermore, the Learned Counsel for the petitioners submits that since the parties have resolved all their differences amicably, therefore, it would be in the interest of justice to quash FIR No.57/2019 registered at PS Tigri, under Sections 498A/406/34 IPC and all the other proceedings emanating therefrom.
4. I have gone through the settlement before the Ld. District & Session Judge, South, Saket Court, New Delhi vide order dated 16.02.2023. The order dated 16.02.2023 records the statement of the Petitioner and Respondent No.2 as follows:

“Statement of Sh.Ram Lal S/o Late Sh.Long Mal, Rio H.No.-F-1769-1770, J.J. Colony, Tigri, New Delhi

On S.A

My daughter-in-law Kavita Rani is in possession of two room set constituted of toilet & a kitchen on the upper ground floor of premises bearing No.- 1769-1770, J.J.Colony, Tigri. I shall not dispossessed her or her children from the aforesaid two room set during my life-time. I shall also give her an NOC for independent electricity & water connection in her name. I shall also co operate with the petitioner in getting the electricity connection, as and when required. I shall also get the petitioner a new water connection from the tube-well/ bore at my expenses within 10 days from today. I shall withdraw case No.-94/2022 titled as Ram Lal



Vs. Kavita & Ors. pending before District Magistrate (South), New Delhi under Senior Citizen & Maintenance & Welfare of Parents Act, 2007.

In case I am given due respect & regard by the petitioner and her children, I shall favourably consider them at the time of writing my will.

Statement of Sh.Kavita Rani Wd/o Late Sh.Harpool Singh, Rio H.No.-1769-1770, upper ground floor, J.J.Colony, Tigri, New Delhi

On S.A.

I have been read over & explained the statement of my father-in-law namely Sh.Ram Lal. The same is acceptable to me. I shall withdraw the complaint bearing CT No.-986/2021 titled as Kavita Rani Vs. Ram Lal & Ors. pending in the court of Ms.Rakhi Raheja, Ld. MM (Mahila Court)-02, South, Saket, New Delhi, today itself.

I shall also co-operate in quashing of FIR No.- 57/2020 PS-Tigri, New Delhi.

Present revision petition be disposed of, as settled.

5. It is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non- compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon: ***B.S. Joshi v. State of Haryana***, (2003) 4 SCC 675; ***K. Srinivas Rao v. D.A.Deepa***,



(2013) 5SCC 226; *Yashpal Chaudhrani and Others vs. State (Govt. of NCT Delhi) and Another*, 2019 SCC OnLine Del 8179.

6. Both parties are present in court and have duly been identified by the IO. Respondent No. 2 submits that she has entered the settlement voluntarily without any fear, force, or coercion. She submits that other petitions have already been withdrawn or dismissed. The husband of the Respondent No.2 has already died on 10.01.2020, she has no objection if FIR No.57/2019 registered at PS Tigri, under Sections 498A/406/34 IPC and all the other proceedings emanating therefrom are quashed.
7. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.
8. In view of the above, FIR No.57/2019 registered at PS Tigri, under Sections 498A/406/34 IPC and all the other proceedings emanating therefrom are quashed.
9. The present petition along with all the pending applications stand disposed of.

DINESH KUMAR SHARMA, J

OCTOBER 8, 2024

Pallavi/DG