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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2681/2024 & CRL.M.A. 10189/2024 Delay in re-filing , CRL.M.A. 10188/2024 Exemption
PRAMOD AND ORS. Petitioners

Through: Mr. Ashok Kr. Verma & Ms. Poonam Goswami, Advs. with petitioners in person.

versus

STATE NCT OF DELHI AND ANR. Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State with SI Satender, P.S. Geeta Colony.
Ms. Rukhsar Jishan & Ms. Deepmala, Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
04.04.2024

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1. The present petition under Section 482 Cr.P.C. seeks quashing of FIR No. 472/2014, under Section 498A/406/34 IPC, registered at PS Geeta Colony, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika Srivastava, learned Metropolitan Magistrate, Karkardooma Court, New Delhi.
2. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 02.06.1998 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 resided separately from November 2013. Subsequently, respondent no.2/complainant lodged a complaint against petitioners.
4. On 14.08.2015, parties arrived at a settlement before Delhi Mediation Centre, Karkardooma Courts, Delhi. Copy of the aforesaid settlement dated 14.08.2015 is record (Annexure-B). It is pointed out that the child born out of the wedlock has attained majority now and is residing with respondent no.2.
5. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 19.08.2016, passed by Mr. R.P. Pandey, Principal Judge, Family Court, District East, Delhi (Annexure C).
6. 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 Satender, P.S. Geeta Colony.
7. 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.
8. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.
9. 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.”

10. 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. 472/2014, under Section 498A/406/34 IPC, registered at PS Geeta Colony, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika Srivastava, learned Metropolitan Magistrate, Karkardooma Court, New Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 472/2014, under Section 498A/406/34 IPC, registered at PS Geeta Colony, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Rishika Srivastava, learned Metropolitan Magistrate, Karkardooma Court, New Delhi, is hereby quashed.

12. Petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

APRIL 4, 2024/nk

Click here to check corrigendum, if any