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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1/2024

ABHISHEK TONDON & ORS.

..... Petitioners

Through: Mr.Yogesh Kr. Mahur,
Mr.Harkesh, Ms.Neha Bairagee
& Mr.Bhasker Bhardwaj, Advs.
along with petitioner no.1.

versus

STATE OF NCT OF DELHI THROUGH SHO & ANR.

..... Respondents

Through: Mr.Yasir Rauf Ansari, ASC
(Criminal) with Mr.Alok
Sharma & Mr.Vasu Agarwal,
Advs. for State.
ASI Sanwaliya Ram, PS
Seemapuri, Delhi along with
respondent no.2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

15.01.2024

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1. This petition has been filed by the petitioners seeking quashing of the FIR No.0727/2018 registered at Police Station: Seemapuri, Shahdara District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 4 of the Dowry Prohibition Act, 1961 (in short, 'DP Act'), on the basis of an amicable settlement arrived at between the parties.
2. The petitioner no.1 is the husband of the respondent no.2, and



the petitioner nos.2 to 3 are the family members of the petitioner no.1.

3. The marriage between the respondent no.2 and petitioner no.1 was solemnized on 12.03.2018. The dispute arose between the petitioners and the respondent no.2, which resulted in filing of the present FIR by the respondent no.2 against the petitioners.

4. Now, the parties have settled all their disputes in terms of the Settlement Deed/Agreement executed on 05.07.2019. As per the terms of the settlement, the parties have decided to live together.

5. The complainant/victim/respondent no. 2, who is present in Court in person and has been duly identified by the Investigating Officer (IO), submits that she is now living with the petitioner no. 1/husband. She informs the Court that she has settled the disputes with the petitioners of her own free will and without any coercion. She further states that she has no objection to quashing of the FIR.

6. Considering the above Settlement arrived at between the parties and in view of the judgments of the Supreme Court in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303 and ***Jitendra Raghuvanshi v. Babita Raghuvanshi***, (2013) 4 SCC 58, I find that there will be no use in continuing with proceedings of the present FIR and the criminal trial. Hence, it would be in the interest of justice to quash the aforementioned FIR and the proceedings pursuant thereto.

7. Accordingly, the petition is allowed.

8. The FIR No.0727/2018 registered at Police Station: Seemapuri, Shahdara District, Delhi under Sections 498A/406/34 of the IPC and Section 4 of the DP Act, and proceedings emanating therefrom are quashed.



9. Parties shall abide by the terms of the settlement.
10. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 15, 2024/rv

Click here to check corrigendum, if any