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

+ CRL.M.C. 166/2024 & CRL.M.A. 681/2024 (exemption)

ATUL CHAUDHARY AND ORS Petitioners

Through: Mr. Satish Kumar Yadav, Advocate
alongwith petitioners 1-4 in person.
Petitioner no. 5 through VC.

versus

STATE OF NCT OF DELHI AND ANR Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
SI Lalbahadur and W/SI Sunita, PS
Mohan Garden.
Mr. Himanshu Aggarwal, Advocate
for R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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08.01.2024

1. The present petition under Section 482 of the CrPC seeks quashing of FIR No. 22/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Mohan Garden, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, New Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 30.11.2017 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 19.04.2019.



Subsequently, respondent no.2/complainant registered an FIR against the petitioners.

4. Learned counsel for the petitioners submits that parties arrived at settlement before the Medaiton Centre, Dwarka Courts, Delhi *vide* Settlement Agreement dated 22.05.2023. It is further stated that the parties are living together, at their matrimonial home, since 31.05.2023 alongwith their minor son.

5. Petitioners no. 1 to 4 and complainant/respondent no. 2 are present before the Court and petitioner no. 5 through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Lalbahadur, PS Mohan Garden.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 since 31.05.2023 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

7. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

8. 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.”



9. 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. 22/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Mohan Garden, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, New Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 22/2020, under Sections 498A/406/34 of the IPC, registered at P.S. Mohan Garden, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Vaishali Singh, learned Metropolitan Magistrate, Dwarka Courts, New Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

JANUARY 08, 2024/sn