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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 13.02.2024

+ CRL.M.C. 216/2024

DHARAMVIR SINGH

..... Petitioner

Through: Mr. Neeraj Kumar, Advocate with
Petitioner-in-person.

versus

STATE AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for the State
with W/SI Kumari Banti, PS: Vasant
Vihar.Ms. Harshita Khatri, Advocate for R-2
with Respondent No. 2-in-person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T**ANOOP KUMAR MENDIRATTA, J (ORAL)****CRL.M.A. 868/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 216/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 0297/2017, under Sections 354(A)/509/506 IPC, registered at PS: Vasant Vihar, Delhi and the proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for



respondent No. 2 along with respondent No. 2 in-person appear on advance notice and accept notice.

3. In brief, as per the case of the petitioner, marriage between son of petitioner and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 10.07.2016. On complaint of respondent No.2, present FIR was registered on 06.07.2017. A subsequent FIR No. 0555/2018, under Sections 354/498A/406/509/34 IPC was registered at PS: Saket, Delhi, at instance of respondent No. 2, which is stated to have been quashed vide order dated 10.01.2024 passed by Hon'ble Mr. Justice Vikas Mahajan in CRL. M.C. 220/2024.

4. The matter is stated to have been amicably resolved between the parties in terms of Settlement Agreement dated 07.08.2023. Also, the marriage between son of petitioner and respondent No. 2 has been dissolved by way of mutual consent, under Section 13B(2) of the Hindu Marriage Act vide decree of divorce dated 20.10.2023.

5. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

6. Petitioner as well as respondent No. 2 are present in person and have been identified by W/SI Kumari Banti, PS: Vasant Vihar. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

7. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the



ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

8. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 0297/2017, under Sections 354(A)/509/506 IPC, registered at PS: Vasant Vihar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending application, if any, also stands disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 13, 2024/R