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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 14.03.2024

+ W.P.(CRL.) 113/2024

DEEPALI PANWAR & ORS.

..... Petitioners

Through: Mr.Prashant Yadav, Ms.Laxmi Gaur
and Mr.Ashish, Advocates with
Petitioners-in-person.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms.Rupali Bandhopadhyaya, ASC for
State with Mr. Abhijeet Kumar,
Advocate alongwith SI Jaiveer, PS
Palam Village.
Mohd. Harish Taslim, Advocate
respondents No.2 and 4 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)

1. Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0796/2023, under Sections 506/509/323/34 IPC, registered at P.S.: Palam Village.

2. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 18.11.2021. Due to temperamental differences between the parties, cross complaints were filed by petitioner No.1 as well as respondent No.2 under Section 156(3) Cr.P.C. and 200 Cr.P.C for directions to register



FIR in 2022. Present FIR was registered pursuant to order dated 28.11.2022 passed by learned MM, South-West, Dwarka Courts, Delhi allowing the application under Section 156(3) Cr.P.C in CC No.2023/2022 filed by respondents No.2 to 4.

3. The disputes have been resolved between the parties vide Settlement Deed dated 04.11.2023. The marriage between petitioner No. 1 and respondent No. 2 is stated to have been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act vide judgment dated 11.03.2024, though the copy of the judgment has not been placed on record.

4. 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.

5. Petitioners 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.

6. Petitioners as well as respondents No. 2 & 4 are present in person and have been identified by SI Jaiveer, P.S.: Palam Village. Presence of respondent No.3 (Ms.Vimlesh Devi) is exempted. 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 & 4 also state that nothing remains to be further adjudicated upon between the parties and they have no objection in case the FIR in question is quashed.

7. The FIR arises out of matrimonial disputes and differences between the parties, who now intend to put quietus to the proceedings and move forward in life. 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. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No. 0796/2023, under Sections 506/509/323/34 IPC, registered at P.S.: Palam Village and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 14, 2024/v