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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 542/2024, CRL.M.A. 2178/2024 (Stay) & CRL.M.A.
2265/2024 (Delay)

SH JAI BHAGWAN

..... Petitioner

Through: Mr. P.K. Jha, Advocate alongwith
petitioner in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Amit Ahlawat, APP for the State
with SI Khushank, P.S. Swaroop
Nagar.
Mr. Amresh Kumar, Advocate for R-
2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **05.03.2024**

CRL.M.A. 2179/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

**CRL.M.C. 542/2024, CRL.M.A. 2178/2024 (Stay) & CRL.M.A.
2265/2024 (Delay)**

3. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 296/2013, under Section 307 of the IPC, registered at P.S. Swaroop Nagar and all other consequential proceedings emanating therefrom including the chargesheet pending before the Court of Ms. Shefali Sharma, learned Additional Sessions Judge, North, Rohini Courts, Delhi.
4. Learned counsel appearing on behalf of the petitioner submits that the



latter and respondent no. 2 are husband and wife and on account of a matrimonial dispute, the present FIR was registered at the instance of respondent no. 2.

5. It is further submitted that during the pendency of the aforesaid proceedings, with the intervention of common friends and relatives, the parties have arrived at a settlement *vide* Memorandum of Settlement/Compromise dated 24.07.2023. In pursuance of the said settlement, the petitioner and respondent no. 2 are residing together at their matrimonial home for the last 02 years.

6. Petitioner 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 Khushank, P.S. Swaroop Nagar.

7. The complainant/respondent No.2 states that the matter has been settled with the petitioner and she has no objection if the FIR is quashed and subsequent chargesheet is quashed. She further states she is residing peacefully with the petitioner at their matrimonial home for the last 02 years.

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, the 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 proceeding.”

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. 296/2013, under Section 307 of the IPC, registered at P.S. Swaroop Nagar and all other consequential proceedings emanating therefrom including the chargesheet pending before the Court of Ms. Shefali Sharma, learned Additional Sessions Judge, North, Rohini Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 296/2013, under Section 307 of the IPC, registered at P.S. Swaroop Nagar and all other consequential proceedings emanating therefrom including the chargesheet pending before the Court of Ms. Shefali Sharma, learned Additional Sessions Judge, North, Rohini Courts, 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

MARCH 5, 2024/bsr