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

+ **CRL.M.C. 7483/2024**

RAVINDER KUMAR

.....Petitioner

Through: Mr. Braham Singh, Ms. Seema Singh,
Mr. Rohit Vidhudi, Mr. N.S. Vidhudi
and Ms. Manju, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
SI Vipin Kumar, P.S.: Prashant Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

23.09.2024

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CRL.M.A. 28565/2024

CRL.M.A. 28566/2024

Exemptions granted, subject to just exceptions.

The applications stand disposed-of.

CRL.M.C. 7483/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 203/2016 dated 15.02.2016 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Prashant Vihar, Delhi. Consequent upon completion of investigation, allegations under sections 3/4 of the Dowry Prohibition Act, 1961 have been added *vide* chargesheet dated 01.04.2024.

2. The petition is premised on Settlement/Agreement dated 14.01.2016 arrived at under the aegis of Delhi Mediation Centre, Rohini District



Courts, Delhi, whereby the petitioner and respondent No. 2 have resolved their disputes amicably.

3. The petition is supported by affidavits of the petitioner and of respondent No. 2, alongwith proof of their I.D.s.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The court has interacted with respondent No.2, as also with the petitioner, who have confirmed that they have now resolved the matter and a Settlement/Agreement dated 14.01.2016 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. Ms. Shubhi Gupta, learned APP confirms that the State has no objection to the subject FIR being quashed.
7. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
8. It is noticed however that the parties had settled their *inter-se* disputes through mediation as far back as on 14.01.2016, whereupon the parties were required as part of the terms of the settlement itself, to



appear before the CAW Cell on 18.01.2016 and intimate to the CAW Cell about closure of their *inter-se* disputes.

9. Upon being queried however, the parties concede that they simply did not take any steps to inform the CAW Cell about the settlement of their *inter-se* disputes; and it would appear that for this reason, the matter remained pending on the file of the CAW Cell and FIR No. 203/2016 dated 15.02.2016 came to be registered, in which the chargesheet has been filed as late as on 01.04.2024. It is only upon filing of the chargesheet that the parties have woken-up to the pendency of the matter. The position accordingly is, that despite a settlement having been arrived at more than 08 years ago, the State machinery has been needlessly kept engaged with a matter that had been resolved between the parties.
10. In view of the above, while allowing the present petition, this court considers it appropriate that the petitioner as well as respondent No.2 shall *jointly* pay nominal costs of Rs.5,000/- to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi, within 04 weeks.
11. Subject to the aforesaid condition, FIR No. 203/2016 dated 15.02.2016 registered under sections 498-A/406/34 IPC at P.S.: Prashant Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. The petitioner and respondent No.2 are directed to place on record the proof of payment of costs, within 01 week thereof.
13. The Registry is directed to re-list the matter if costs are not paid as directed.
14. The petition stands disposed-of in the above terms.



15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 23, 2024/ak