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

+ **CRL.M.C. 1859/2024**

AMIT KUMAR SADH AND OTHERS

..... Petitioners

Through: Mr. R.S. Kundu & Mr. Sunil Panwar,
Advts. with petitioners in person.

versus

STATE OF NCT DELHI (THROUGH SHO PS KRISHNA NAGAR)

AND ANOTHER

..... Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI Gajal Chugh, P.S. Krishna
Nagar.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **12.03.2024**

CRL.M.A. 7083/2024 (Exemption)

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

CRL.M.C. 1859/2024

3. The present petition filed under Section 482 Cr.P.C. seeks quashing of
FIR No. 284/2017, under Sections
323/354/354A/354B/342/342/377/498A/406/495/34 of IPC, registered at
P.S. Krishna Nagar and all other consequential proceedings emanating
therefrom, including the chargesheet pending before the Court of Ms. Swati
Katiyar, learned Additional Sessions Judge, District East, Karkardooma



Court.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 04.01.2016 as per Hindu rites and ceremonies.

5. A girl child was born out of the said wedlock but unfortunately she has since passed away.

6. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 20.06.2017. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband), petitioner no. 2 (mother-in-law) petitioner no. 3 (sister-in-law), petitioner no.4 (sister-in-law) and petitioner no.5 (brother-in-law). It is pointed out that a cross-FIR bearing No. 285/2017, under Sections 354B/509/323/342/506/34 IPC, was registered at P.S. Krishna Nagar at the instance of petitioner no.2 and 3 herein against respondent no.2 and her family members.

7. It is further submitted that during the pendency of the aforesaid proceedings, parties have entered into a compromise/settlement deed dated 03.05.2023, pursuant to which parties have no objection to quashing of the cross FIRs. The other FIR No. 285/2017, under Sections 354B/509/323/342/506/34 IPC, registered at P.S. Krishna Nagar at the instance of petitioner no.2 and 3 herein against respondent no.2 and her family members is the subject matter of CRL.M.C. 2009/2024, which is being disposed of by a separate order of the same date.

8. On 03.05.2023, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 3,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance -



present, past and future. The copy of the aforesaid settlement deed dated 03.05.2023 is on record (Annexure P-3).

9. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 14.08.2023, passed by Shri Sanjeev Jain, Principal Judge, Family Court, East District, Karkardooma Courts, Delhi (Annexure P-4). Further, as per the settlement deed, an amount of Rs. 2,00,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 1,00,000/- has been paid to her in Court today, by means of a demand draft.

10. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Gajal Chugh, P.S. Krishna Nagar..

11. A demand draft bearing no. 000336 dated 02.02.2024 for Rs. 1,00,000/- drawn on Bank of India, Gandhi Nagar, New Delhi has been handed over to the complainant/Respondent No.2, who acknowledges the receipt of the same.

12. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

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

14. 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.”

15. 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. 284/2017, under Sections 323/354/354A/354B/342/342/377/498A/406/495/34 of IPC, registered at P.S. Krishna Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Swati Katiyar, learned Additional Sessions Judge, District East, Karkardooma Court, Delhi.

16. In the interest of justice, the petition is allowed, and FIR No. 284/2017, under Sections 323/354/354A/354B/342/342/377/498A/406/495/34 of IPC registered at P.S. Krishna Nagar and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Swati Katiyar, learned Additional Sessions Judge, District East, Karkardooma Court, is hereby quashed.

17. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 12, 2024/nk