



\$~65

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

+ CRL.M.C. 1891/2024 & CRL.M.A. 7254/2024 (delay in re-filing)

RAMESH & ORS.

..... Petitioners

Through: Mr. Asmit Sharma, Advocate
alongwith petitioners in person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Arvind, PS Gokulpuri.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

06.03.2024

%

1. The present petition under Section 482 of the CrPC seeks quashing of FIR No. 299/2021, under Sections 498A/406/323/34 of the IPC, registered at P.S. Gokulpuri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 14.04.2007 as per Hindu rites and customs and two children were born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 09.09.2019. Subsequently, respondent no.2/complainant registered an FIR against the petitioners.
4. Learned counsel for the petitioner submits that in pursuance of the



oral settlement arrived at between the parties, the parties have been living together at their matrimonial home for the last 10 months alongwith their minor children.

5. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer SI Arvind, PS Gokulpuri.

6. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 for the last 10 months at their matrimonial home and she has no objection if the FIR is quashed against the petitioners. Further, a no objection on behalf of respondent no. 2 is also on record.

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

8. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, 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 proceedings.”

9. 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. 299/2021, under Sections 498A/406/323/34 of the IPC, registered at P.S. Gokulpuri and all other



consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 299/2021, under Sections 498A/406/323/34 of the IPC, registered at P.S. Gokulpuri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Arushi Parwal, learned Metropolitan Magistrate, Mahila Court (North-East), Karkardooma Courts, Delhi, is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

AMIT SHARMA, J

MARCH 06, 2024/sn