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

+ **CRL.M.C. 2675/2024 & CRL.M.A.14168/2024**

SEEMA KAUR AND OTHERS Petitioners

Through: Mr. Narender Mukhi, Adv.

versus

THE STATE GOVT OF NCT OF DELHI Respondent

Through: Mr. Hitesh Vali, APP for State with
HC Pawan Kumar and SI Harsh, P.S.
Sultan Puri
Mr. Shivanshu Chadha and Mr.
Rishabh Virmani, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

08.05.2024

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CRL.M.A. 10172/2024

1. Allowed, subject to all just exceptions.

CRL.M.A. 10173/2024

2. This application has been filed seeking condonation of delay of 150 days in re-filing the petition.

3. For the reasons stated in the application, the application is allowed and the delay is condoned.

CRL.M.C. 2675/2024

4. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.40/2018 under Sections 323/341/354/509/34 IPC registered at Police Station Sultan Puri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a



settlement.

5. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

6. The FIR is an off-shoot of a matrimonial dispute between the petitioner no.4 and his wife namely Kiran Kaur. The FIR has been registered at the instance of respondent no.2, who is mother-in-law of Maninder Singh (petitioner no.4).

7. The petitioner no. 1 (mother of petitioner no.4) along with all other petitioners, as well as, respondent no. 2 (mother-in-law of petitioner no.4) are present in Court and they have been identified by their respective counsels and by IO SI Harsh, P.S. Sultan Puri.

8. The case in brief is that the marriage between the petitioner no.4 and Kiran Kaur was solemnized on 26.02.2017 according to Hindu Rites and Customs.

9. On account of temperamental issues certain disputes arose between the parties. The dispute between the parties also led to the registration of the present FIR as well as two more cross FIRs.

10. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 07.12.2023, which is annexed as Annexure P-3 to the present petition.

11. It is recorded in the settlement that the parties have amicably resolved all their disputes and now the wife namely Kiran Kaur is residing in her matrimonial home along with her husband (petitioner no.4).



12. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

13. At this stage, apt would it be to refer to the observations of the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303: (SCC p. 340, para 58)

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

14. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.

15. It is, thus, in the interest of justice that the present FIR and all other proceedings emanating therefrom are quashed.

16. Consequently, the petition is allowed and the FIR No. 40/2018 under Sections 323/341/354/509/34 IPC registered at Police Station Sultan Puri alongwith all other proceedings emanating therefrom, is quashed.

17. The petition stands disposed of in the above terms. Pending application also stands disposed of.

18. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

MAY 8, 2024/ns