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

+ **W.P.(CRL) 3488/2017**

ZAID @ ZAIDI & ORS

..... Petitioners

Through: Mr. Saroj Kumar Jha, Advocate
(through VC).

P-1 in person.

P-2 and 3 through VC.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Ms. Nandita Rao, ASC (criminal) for
the State with Ms. Anuka Bachawat,
Advocate.

SI Gaurav Yadav, PS Nand Nagri.

R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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01.02.2024

1. The present petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeks quashing of FIR No. 959/2014, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Nidhi Bala, learned Metropolitan Magistrate, Mahila Court, Shahdara Courts, Delhi.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 05.11.2012 as per Muslim rites and customs and one female child was born out of the said wedlock.
3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately from 28.05.2013.



Subsequently, respondent no.2/complainant registered an FIR against the petitioners.

4. Learned counsel for the petitioner submits that in pursuance of the Settlement Agreement dated 19.01.2017, parties arrived at settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi. It is further stated that the parties living together, at their matrimonial home, for the last 3 years alongwith their minor children.

5. Petitioner no. 1 and complainant/respondent no. 2 are present before the Court and petitioners no. 2 and 3 are present through video conferencing and have been duly identified by the Investigating Officer, SI Gaurav Yadav, PS Nand Nagri.

6. The complainant/respondent no.2 states that the matter has been settled and she is living with petitioner no. 1 for the last three years at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

7. In view of the settlement between the parties, learned ASC 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. 959/2014, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Nidhi Bala, learned Metropolitan Magistrate, Mahila Court, Shahdara Courts, Delhi.

10. In the interest of justice, the petition is allowed, and the FIR No. 959/2014, under Sections 498A/406/34 of the IPC, registered at P.S. Nand Nagri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Nidhi Bala, learned Metropolitan Magistrate, Mahila Court, Shahdara 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

FEBRUARY 01, 2024/sn