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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 725/2020**
VEER SINGH & ORS.

.....Petitioner

Through: Mr Shivanand, Mr. Attar Singh, Mr.
VS Nirmal, Advs.

versus

STATE & ANR

.....Respondent

Through: Mr. Sunil Kr. Gautam, APP
SI Pankaj Kumar, PS Jyoti Nagar

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

11.02.2025

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1. This is a petition filed under section 482 of Code of Criminal Procedure, 1973 seeking quashing of the FIR No. 105/2011, dated 24.03.2011 registered at P.S. Jyoti Nagar under sections 498A/406/34 of IPC, 1860 and section 4 of the Dowry Prohibition Act, 1961 and all consequential proceedings emanating therefrom.

2. Briefly stating the facts are that the petitioner no. 1 (husband) and respondent no. 2 (wife) was solemnized on 28.06.2009. The FIR came to be registered on the complaint of respondent no. 2, whereby the allegation against the petitioner no. 1 and petitioner nos. 2 – 8, being the family members of the petitioner no. 1 is that they used to physically abuse the respondent No.2 and harass her for dowry.

3. Hence, the present FIR came to be registered.

4. During the pendency of the proceedings, the parties have arrived at a settlement before the Mediation Centre, Baghpat, wherein the petitioner no.



1 agreed to pay a total sum of Rs 3 lakhs to the respondent no. 2 towards full and final settlement of all her claims.

5. On the basis of the settlement executed between the parties, the petitioner no. 1 and respondent no. 2 filed for the decree of divorce by mutual consent.

6. The statement of the respondent No.2 was recorded by the learned Family Court on 28.02.2015. The operative portion reads as under:-

“

We have settled all our disputes with regard to istridhan, dowry, maintenance (past, present and future) as well as permanent alimony. Our joint petition is Ex. P-1 and bears my signatures at point B and signatory of petitioner no. 1 at point A thereon. We had approached mediation cell in District Courts. The settlement was arrived at and I agreed to receive Rs. 3 Lacs from petitioner no. 1. Of the said amount I have already received entire amount of Rs. 3 Lacs from petitioner no. 1 at the time of first motion. We decided to part our ways amicably. I shall abide by my statement made in the Court. There was no collusion between us for filing of this, petition. There is no other litigation pending between us.”

7. On 03.12.18, the learned Family Court passed the decree of divorce on the basis of the settlement between the parties.

8. A perusal of the statement given by the respondent no. 2 on 28.02.2015 indicates that the respondent no. 2 has received the full and final amount of Rs 3 lakhs as per the settlement and all the disputes between the parties stands settled. No dispute stands subsisting between the respondent no. 2 and the petitioner no. 1 and his family members.

9. The present petition came to be filed as the respondent No.2 was not



coming forward with regard to giving a no objection affidavit to quash the FIR.

10. In the present case, the respondent no.2 has been served and despite service, there is nobody appearing for respondent No.2. Further, learned counsel for the petitioner also states that nobody has been appearing on behalf of the respondent no. 2 in the learned Trial Court as well.

11. I am satisfied that the settlement between the petitioner No.1 and the respondent No.2 is lawful, legal and binding upon the petitioner No.1 and respondent No.2. Perhaps for this reason, despite service, the respondent No.2 is not appearing.

12. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing.

13. For the said reasons, the petition is allowed and the FIR No. 105/2011, dated 24.03.2011 registered at P.S. Jyoti Nagar under sections 498A/406/34 of IPC, 1860 and section 4 of the Dowry Prohibition Act, 1961 and all consequential proceedings emanating therefrom are hereby quashed.

14. The status report handed over in Court today is taken on record.

JASMEET SINGH, J

FEBRUARY 11, 2025 / (MS)

Click here to check corrigendum, if any