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

+ CRL.M.C. 5562/2023& CRL.M.A. 21011/2023

SHRI INDRAVADAN BHATT & ORS.Petitioners

Through: Ms. Anupama Kaul, Adv. with
petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Ms. Priyanka Dalal, APP for the State.
Insp. Manjusha, P.S. Sarita Vihar.
Mr. Parth Bhardwaj, Adv. for R-2 with
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **26.05.2025**

1. This hearing has been done through hybrid mode.
2. This is the second petition under Section 482 Cr.P.C. seeking quashing of FIR No. 108/2016, under Section 498A/406/34 IPC, registered at PS Sarita Vihar, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Archita Garg, learned Judicial Magistrate First Class, Mahila Court Saket Courts, Delhi.
3. The first petition bearing no. W.P.(CRL.) 1841/2017 was dismissed as withdrawn *vide* order dated 24.04.2018 with liberty to file a fresh petition in pursuance of the settlement arrived at between the parties on 09.01.2018.
4. The marriage between the petitioner no.1/husband and the respondent no.2/wife was solemnized on 28.11.2004 as per Hindu Rites and Customs and one female child was born out of the said wedlock.



5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties resided separately since December, 2005. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no. 1 (husband), petitioner no. 2 (brother-in-law), petitioner no. 3 (brother-in-law), petitioner no.4 (sister-in-law) and petitioner no.5 (sister-in-law).

6. On 09.01.2018, parties arrived at a settlement and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 13,50,000/- 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.

7. In terms of the said settlement, the marriage between the parties stands dissolved by an *ex-parte* decree of divorce dated 11.04.2022, passed by Ms. Madhu Jain, Principal Judge, Family Court, South East District, Saket, New Delhi (Annexure P-11), which now respondent no.2 submits that she has not challenged the same and has attained finality. Further, as per the settlement deed, an amount of Rs. 6,75,000/- has already been paid to respondent no.2 and the remaining amount of Rs. 6,75,000/- has been paid to her in Court today, by means of a demand draft. As per the said settlement, custody of the minor child will be with the petitioner., who has now attained majority.

8. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer Insp. Manjusha, P.S. Sarita Vihar.

9. A Demand Draft bearing no. 173381 dated 19.05.2025 for Rs. 6,75,000/- drawn on Bank of Baroda, Ahmedabad, has been handed over to the Complainant/Respondent No.2, who acknowledges the receipt of the same.



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

11. 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.”

12. 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. 108/2016, under Section 498A/406/34 IPC, registered at PS Sarita Vihar, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Archita Garg, learned Judicial Magistrate First Class, Mahila Court Saket Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 108/2016, under Section 498A/406/34 IPC, registered at PS Sarita Vihar, New Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Archita Garg, learned Judicial Magistrate First Class, Mahila Court Saket Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.



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

AMIT SHARMA, J

MAY 26, 2025/nk/pr

[Click here to check corrigendum, if any](#)