
(2019) 01 DEL CK 0217

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 118 Of 2019

Ranbir Singh & Ors

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 11-01-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A, 506

Citation : (2019) 01 DEL CK 0217

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Anil Hooda, M.P. Singh

Final Decision : Disposed Off

Judgement

Quashing of FIR No.1045/2013, under Sections 498-A/406/506/34 of IPC, registered at police station Mehrauli, New Delhi is sought on the ground that petitioners and respondent No.2-complainant are happily living together.

Notice.

Mr. M.P.Singh, learned Additional Public Prosecutor for respondent-State accepts notice and submits that respondent No.2, present in the Court, is complainant/ first-informant of the FIR in question and she has been identified to be so by SI Hukum Singh on the basis of identity proof produced by her.

Respondent No.2, present in the Court, submits that the dispute with petitioners has been amicably resolved. She affirms the contents of her affidavit of 10th January, 2019 filed in support of this petition and submits that she is happily living with petitioners and to restore cordiality between the parties, the proceedings arising out of the FIR in question be brought to an end.

In 'Gian Singh Vs State of Punjab' (2012) 10 SCC 303, Supreme Court has recognized the need of amicable resolution of disputes in cases like the instant one, by observing as under:-

"Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.

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."

Since the subject matter of this FIR is essentially matrimonial, which now stands mutually and amicably settled between parties, therefore, continuance of proceedings arising out of the FIR in question would be an exercise in futility.

Accordingly, this petition is allowed subject to cost of Rs. 10,000/- to be deposited by petitioners with Prime Minister's National Relief Fund within four weeks from today and placing on record the receipt of deposit of cost within two weeks thereafter, FIR No.1045/2013, under Sections 498-A/406/506/34 of IPC, registered at police station Mehrauli, New Delhi and the proceedings emanating therefrom shall stand quashed qua petitioners. However, it is made clear that this order will not stand in the way of respondent No.2 have recourse to law, if need be.

This petition is accordingly disposed of.