

# Surjeet Singh Narula & Ors vs State (Nct Of Delhi) & Anr on 12 May, 2023

**Author: Yogesh Khanna**

**Bench: Yogesh Khanna**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ CRL.M.C. 3379/2021, CRL.M.A. 20472/2021  
SURJEET SINGH NARULA & ORS.

Through: Ms.Payal Dhupar, Advocate  
petitioners nos.2 and 3 i  
petitioner no.1 through v  
conferencing.

versus

STATE (NCT OF DELHI) & ANR.

Through: Mr.Mukesh Kr, APP  
with SI Vandana, P  
Mr.Jagmohan Bedi,  
with R2 through vi

CORAM:  
HON'BLE MR. JUSTICE YOGESH KHANNA  
ORDER

% 12.05.2023

1. This petition is filed for quashing of FIR No.563/2016 under Sections 354/406/376/34 IPC and Sections 3/4 of Dowry Prohibition Act registered at PS Hari Nagar, Delhi and the proceedings emanating therefrom.

2. It is alleged the petitioner no.1 on 16.01.2016 came to India from Canada for the purposes of his engagement ceremony with respondent no.2. It is alleged on 23.01.2016 the petitioner no.1 was engaged with respondent no.2 and on 30.01.2016 the petitioner no.1 returned to Canada.

3. On 24.04.2016 some dispute arose between the parties and a complaint was lodged by respondent no.2 which culminated into present FIR. On 01.12.2016 due to intervention of family members and relatives the matter has been amicably settled between the parties and a settlement deed was executed on 22.02.2017. In lieu of said settlement the petitioner no.1 agreed to pay an amount of Rs.12.25 lacs to the respondent no.2 towards all her claims and the respondent no.2 also agrees to return one diamond set and one diamond ring to the petitioners herein.

4. It is submitted an amount of Rs.6.25 lacs has already been paid by the petitioners to the respondent no.2 and the balance amount of Rs.6.00 lacs was paid two days ago and now no claim is left of whatsoever nature against either parties.

5. During investigation no material could be found which could qualify the ingredients of an offence under Section 376 IPC against petitioner no.1, hence a chargesheet was filed by the State without arrest of petitioner no.1.

6. In Jitesh Pawar vs. The State (NCT of Delhi) & Anr. in CRL.M.C.2186/2021 both the petitioner and respondent no.2 were engaged by their family members but later due to some dispute a FIR was registered under Section 376/420 IPC which was later quashed vide order dated 30.08.2022 by this Court.

7. In Permanand Mishra & Another vs The State of NCT of Delhi & Another Crl.M.C.No.3076/2021 decided on 05.08.2022 in similar circumstances the FIR No.24/2018 under Section 376/313/354 IPC registered at police station Moti Nagar was directed to be quashed.

8. Further in Mandar Deepak Pawar vs. The State of Maharashtra in CRL.A.442/2022; Anand D.V. vs. State & Anr. in CRL.A.Nos.394- 95/2021; Ganesh Shankar Pilane vs. The State of Maharashtra and Anr. in W.P.(CRL.) 272/2022; Manteshwar Hanumantrao Kattimani vs. State of Maharashtra and Anr. 2016 SCC OnLine Bom 10581; and Capt. Simranjit Singh Sambhi vs. State (NCT of Delhi) and Anr. CRL.M.C.2960/2021 the Courts have exercised power under Section 482 Cr.P.C. to quash the proceedings under Section 376 IPC on the facts mentioned therein.

9. The respondent no.2 has appeared through video conferencing and has been duly identified by the Investigating Officer and she has no objection in case the FIR is quashed as the matter is settled between the parties and she has received the entire settled amount from the petitioners. The affidavits of parties are on record. The learned APP for the State also has no objection in case the FIR is quashed.

10. In view of the above, there is no impediment in quashing the present FIR as the matter is settled between the parties and it would never entail in conviction of the petitioners herein and that it arose primarily because of marital dispute.

11. Accordingly, the petition is allowed. Consequently, the FIR No.563/2016 under Sections 354/406/376/34 IPC and Sections 3/4 of Dowry Prohibition Act registered at PS Hari Nagar, Delhi and the proceedings emanating therefrom stands quashed. Pending application(s), also stands disposed of.

YOGESH KHANNA, J.

MAY 12, 2023 DU