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

+ CRL.M.C. 550/2020

KARTHIK SARMA Petitioner

Through: Mr. Fahad Malik, Advocate.
Petitioner in person.

versus

STATE & ANR Respondent

Through: Mr. M.S.Oberoi, APP for the State
with SI Vikram Singh, P.S.Hari
Nagar.
Mr. Sidharth Tyagi, Adv for R-2. with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **18.02.2020**

1. This is a petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No.1215/2014, under Sections 498A/406/34 IPC registered at Police Station-Hari Nagar, New Delhi, and all proceedings emanating therefrom.
2. It is submitted by the counsel for the parties that there was no marriage between the petitioner and respondent no.2, which is evident from the charge sheet. It is submitted by the counsel for the petitioner that the petitioner has filed a written statement. In paras 10 and 17 of the written statement filed by the petitioner thereof, it has been stated by the petitioner that there was no marriage between the petitioner and respondent no.2 and the marriage was never consummated.
3. In view of the averments made by the petitioner in the written statement, respondent no.2 then made a statement on 24.1.2020

before the Principal Judge, Family Court and she withdrew her petition for divorce. Affidavit of respondent no.2 in this regard is also placed on record.

4. Respondent No.2 is present in Court today and she has been identified by the IO. The respondent No.2 admits that she has settled the matter amicably with the petitioner. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. Respondent no.2 has no objection if the FIR be quashed.

5. Learned counsel for the State submits that in view of the settlement between the parties, the State has no objection if the FIR in question be quashed.

6. Keeping in view of the averments made by the petitioner herein in paras 10 and 17 of the written statement, since the matter has been amicably settled between the parties, and there was no marriage between the petitioner and respondent no.2, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed and FIR No.1215/2014, under Sections 498A/406/34 IPC registered at Police Station-Hari Nagar, New Delhi, and the proceedings emanating therefrom are hereby quashed.

7. The present petition stands disposed of accordingly. *Dasti.*

RAJNISH BHATNAGAR, J

FEBRUARY 18, 2020/ib