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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 27.02.2024

+ CRL.M.C. 226/2024

SH DAYA KISHAN & ORS.

..... Petitioners

Through: Mr.Nitin Raj, Advocate.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Meenakshi Dahiya, APP with
SI Naresh Kumar, PS Baba Haridas
Nagar.

Mr. R.S. Yadav, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T

ANOOP KUMAR MENDIRATTA, J (ORAL)

CRL.M.A. 889/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 226/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 295/2018 under Sections 498A/406/34 IPC registered at P.S.: Baba Haridas Nagar, Delhi and the proceedings emanating therefrom.

2. Issue notice. Learned APP for the State as well as learned counsel for



respondent no. 2 alongwith respondent no. 2 in-person appear on advance notice and accept notice.

3. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 14.02.2015. No child was born out of the said wedlock. Due to temperamental differences between the parties, petitioner no. 1 and respondent No. 2 started living separately since 05.05.2017. On complaint of respondent No. 2, present FIR was registered on 16.10.2018.

4. The disputes have been amicably resolved between the parties with intervention of family members and well-wishers. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce by mutual consent under Section 13B(2) of the Hindu Marriage Act vide decree of divorce dated 19.10.2023.

5. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

6. Petitioners as well as respondent No. 2 are present in person and have been identified by SI Naresh Kumar, PS: Baba Haridas Nagar, Delhi. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

7. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. It would be nothing but an abuse of the process of



Court. Consequently, FIR No. 295/2018 under Sections 498A/406/34 IPC registered at P.S.: Baba Haridas Nagar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 27, 2024/akc