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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.01.2024

+ CRL.M.C. 368/2024

UDAY SINGTHA

..... Petitioner

Through: Mr. Afsar Nabi, Advocate with
Petitioner-in-person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP with
SI Yogesh, PS: M. S. Park.Mr. M. Qayam-ud-din, Advocate for
R-2 with Respondent No. 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)**

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 16/2013 under Sections 498A/406/34 IPC read with Section 4 of DP Act registered at P.S.: Mansarovar Park, Delhi and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and 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 petitioner, marriage between petitioner and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 02.03.2009. A female child was born out of the wedlock on 17.05.2011. Due to temperamental differences, respondent No. 2 and petitioner could not live together and have been living separately. On



complaint of respondent No. 2, present FIR was registered.

4. The matter is stated to have been amicably resolved between the parties in terms of settlement deed dated 07.06.2016. The marriage between petitioner and respondent No. 2 is stated to have been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.

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. Petitioner as well as respondent No. 2 are present in-person in the Court today and have been identified by SI Yogesh, PS: Mansarovar Park, 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. 16/2013 under Sections 498A/406/34 IPC read with Section 4 of DP Act registered at P.S.: Mansarovar Park, Delhi and proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. A copy of this order be forwarded to the concerned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 16, 2024/R