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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 18.01.2024

+ CRL.M.C. 384/2024

SHRI TUSHAR & ORS.

..... Petitioners

Through: Mr. Naveen Kumar, Advocate along
with Petitioner No.1-in-person and
Petitioner Nos. 2 to 4 through VC.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with
ASI Shyam Sunder, IIIrd BN, DAP.
Mr. Ajay Tanyal and Mr. Vipul
Sharma, Advocates 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)****CRL.M.A. 1514/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 384/2024

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. 628/2020 under Sections 498A/406/34 IPC registered at P.S.: Dayalpur 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 No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 06.12.2019. Due to temperamental differences, respondent No. 2 and petitioner No. 1 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 28.08.2023. The marriage between petitioner and respondent No. 2 has been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.

5. A balance amount of Rs. 2,00,000/- has been paid to respondent No. 2 today through Demand Draft No. 497537 dated 16.01.2024 drawn on State Bank of India, Vaishali, New Delhi Branch in favour of respondent No. 2 towards full and final settlement between the parties.

6. 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.

7. Petitioner No. 1 as well as respondent No. 2 are present in-person and Petitioner Nos. 2 to 4 appear through VC in the Court today and have been identified by ASI Shyam Sunder. 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.

8. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by



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keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 628/2020 under Sections 498A/406/34 IPC registered at P.S.: Dayalpur 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 18, 2024/R