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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 23.01.2024

+ CRL.M.C. 510/2024

KUSHGRA TYAGI AND ORS.

..... Petitioners

Through: Mr.Manish Sharma and Mr.Vibhor
Chaudhary, Advocates with
petitioners in person

versus

STATE & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with SI
Abhilash, PS Mansarovar Park.
Ms.Awantika Sharma, Advocate 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. 2046/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 510/2024

1. Petition has been preferred on behalf of the petitioners under Section 482 Cr.P.C for quashing of FIR No. 513/2022 under Sections 498A/406/34 IPC registered at P.S.: Mansarovar Park.
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 petitioners, marriage between petitioner No.1 and respondent No.2 was solemnized according to Hindu rites and ceremonies on 17.11.2021. Due to temperamental differences, respondent No.2 and petitioner No.1 could not live together and have been living separately since December, 2021. Further, on the basis of complaint of respondent No.2, present FIR was registered.

4. The matter is stated to have been mutually settled between the parties with the intervention of family members and well wishers in terms of settlement deed dated 14.10.2023. The First Motion of mutual divorce under Section 13-B(1) of the Hindu Marriage Act has been allowed by the learned Principal Judge, Gautam Budh Nagar on 17.10.2023 and balance payment in terms of the settlement deed shall be made at the stage of Second Motion of mutual divorce under Section 13-B(2) of the Hindu Marriage Act.

5. Learned APP for the State submits that in view of mutual settlement arrived 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 in the Court today and have been identified by SI Abhilash, PS: Mansarovar Park, Shahdara, Delhi.

I have interacted with the parties and they confirm that the matter has been mutually 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



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keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 513/2022 under Sections 498A/406/34 IPC registered at P.S.: Mansarovar Park and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending application, if any, also stands disposed of.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 23, 2024/v