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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 24.01.2024

+ CRL.M.C. 547/2024

RAJ KUMAR GUPTA @ RAJ GUPTA & ORS. Petitioners

Through: Mr.Manish Sharma and Mr.Dheeraj
Kumar, Advocates with petitioners in
person

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Ms.Kiran Bairwa, APP for the State
with ASI Ghanshyam, P.S. Mandawali
Fazal Pur.Mr.Sanjeev Kumar, Mr.Satyam
Saxena and Mr.Suaib Saifi, Advocates
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. 2203/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 547/2024

1. Petition has been preferred on behalf of the petitioners under Section 482 Cr.P.C for quashing of FIR No. 0353/2018 under Sections 498A/406/34 IPC registered at P.S.: Mandawali Fazal Pur.

2. Issue notice. Learned APP for the State/respondent No.1 and learned



counsel for 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 13.07.2016. A female child was born out of the wedlock who is presently in the custody of respondent No.2. Due to temperamental differences, respondent No.2 and petitioner No.1 could not live together and have been living separately since 28.07.2018. On the basis of complaint of respondent No.2, present FIR was registered.

4. The matter is stated to have been amicably settled between the parties in terms of settlement which has been referred in the order dated 27.04.2022 passed by learned Principal Judge, Family Court, North-West, Rohini Courts at the time of grant of First Motion of mutual divorce under Section 13-B(1) of the Hindu Marriage Act. The marriage between the parties has been dissolved by mutual consent under Section 13-B(2) of the Hindu Marriage Act, vide decree dated 02.05.2023.

5. A balance amount of Rs.1,00,000/- has been paid to respondent No. 2 today through Banker's Cheque No.526865 dated 22.12.2023 drawn on State Bank of India, Naharpur, 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. Petitioners as well as respondent No.2 are present in-person in the Court today and have been identified by SI Ghanshyam, PS: Mandawali Fazal Pur. 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.

8. 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. 0353/2018 under Sections 498A/406/34 IPC registered at P.S.: Mandawali Fazal Pur and the proceedings emanating therefrom stand quashed.

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

A copy of this order be forwarded to the concerned court for information.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 24, 2024/v