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* IN THE HIGH COURT OF DELHI AT NEW DELHI
% Date of Decision: 23.01.2024

+ W.P.(CRL) 228/2024

RAM CHANDER & ORS.

..... Petitioners

Through: Mr. Rishabh Gulati and Ms. Savita
Yadav, Advs. with petitioners in
person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Adv.
PSI Pradeep Kumar, PS Aman Vihar.
Ms. Aditi Srivastava, Adv. 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. 2087/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 228/2024

1. Petition under Article 226 of the Constitution of India read with 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. 306/2023 under Sections 498A/406/34 IPC registered at P.S.: Aman Vihar, Delhi and the proceedings emanating therefrom.



2. Issue notice. Learned APP for the State appears on advance notice and accepts notice. Ms. Aditi Srivastava, Advocate appears on behalf of respondent no. 2 alongwith respondent no. 2 who is accompanied with her brother.

3. In brief, as per the case of the petitioners, the marriage between petitioner No.1 and respondent No.2 was solemnized according to Hindu rites and ceremonies on 24.06.2007. Out of the wedlock, a baby girl was born on 01.10.2014, who is in custody of respondent no.2.

4. Proceedings under D.V. Act, 125 Cr.P.C. were filed on behalf of respondent no. 2 and also present FIR was registered on 21.06.2023.

5. The matter is stated to have been amicably resolved between the parties in terms of Memorandum of Settlement dated 14.09.2023. The marriage between the parties has also been dissolved by mutual consent under Section 13-B(2) of the Hindu Marriage Act, vide decree dated 15.12.2023.

Balance amount of Rs.1,00,000/- (One Lakh Only) has been paid to respondent No.2 today through DD No. 343652 dated December 16, 2023 drawn on Canara Bank, Nangloi-II Branch, New Delhi 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 arrived 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 PSI Pradeep Kumar, PS Aman Vihar. 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 keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 306/2023 under Sections 498A/406/34 IPC registered at P.S.: Aman Vihar, Delhi 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/akc