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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 28.02.2024

+ CRL.M.C. 585/2024

SATYA PRAKASH SHRIVASTAV & ORS. Petitioners

Through: Mr. R. P. S. Bhatti, Advocate with
Petitioner No. 1-in-person.

versus

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

Through: Ms. Kiran Bairwa, APP for State with
SI Ved Prakash, PS: Kalindi Kunj.
Mr. Tanya Agarwal and Mr. Nikhil
Srivastava, 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 petitioners for quashing of FIR No. 0321/2019, under Sections 498A/406/34 IPC, registered at P.S.: Kalindi Kunj, Delhi and the proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with 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 08.12.2017. No child was born out of the wedlock. Due to



temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 25.08.2019.

4. The disputes have been amicably resolved between the parties. The marriage between petitioner No. 1 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 vide judgment dated 13.04.2022.

5. Balance amount of Rs. 90,000/- has been paid to respondent No. 2 through Cheque No. 538280 dated 28.02.2024 drawn on State Bank of India, Nizamuddin Branch, 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 have been identified by SI Ved Prakash, PS: Kalindi Kunj, Delhi. Presence of petitioner Nos. 2 and 3 is exempted. 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. 0321/2019, under Sections 498A/406/34 IPC, registered at P.S.: Kalindi Kunj, Delhi and the proceedings emanating therefrom stand quashed.



Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 28, 2024/R