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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.02.2024

+ W.P.(CRL) 298/2024

PAWAN KUMAR & ORS.

..... Petitioners

Through: Mr. Utkarsh Kokcha, Mr. Milind Raj
Dixit and Mr. Rohan Kumar Singh,
Advocates with Petitioners-in-person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Advocate and
W/SI Neeraj, PS: Dwarka South.
Mr. Hasnain Ansari, Advocate for R-2
with R-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. Writ 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. 0613/2022, under Sections 498A/34 IPC, registered at P.S.: Dwarka South, Delhi.
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 17.01.2022. No child was born out of the said wedlock. Due to temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately since 18.04.2022. On complaint of respondent No. 2, present FIR was registered on 29.11.2022.

4. The matter is stated to have been amicably resolved between the parties in terms of settlement deed dated 12.01.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act as per decree of divorce dated 26.08.2023.

5. Balance amount of Rs. 60,000/- has been paid to respondent No. 2 through Demand Draft No. 377886 dated 01.02.2024 drawn on Indusind Bank, Dwarka Sector -7 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. Petitioners as well as respondent No. 2 are present in person and have been identified by W/SI Neeraj, PS: Dwarka South, Delhi. 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. 0613/2022, under Sections 498A/34 IPC,



registered at P.S.: Dwarka South, Delhi and the proceedings emanating therefrom stand quashed.

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

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 21, 2024/R