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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 02.02.2024

+ CRL.M.C. 835/2024

HEMANTH RAJ P.V. AND ORS.

..... Petitioners

Through: Ms. Seema Sharma, Mr. Utkarsh Kumar, Ms. Rekha and Mr. Sandeep Banerjee, Advocates with Petitioner No.1-in-person and Petitioner Nos. 2 & 3 through VC.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with W/SI Surabhi, PS: Mayur Vihar. Ms. Shubhangi Jain, Ms. Shalini Thakur, Ms. Sunanda Chowdhary and Mr. Garv Shingari, 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. 3354/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 835/2024

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. 48/2017 under Sections 498A/406/34 IPC registered at PS: Mayur Vihar PH-1, 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 petitioner, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 30.01.2015. A child was born out of the wedlock on 14.02.2016. Due to temperamental differences, respondent No. 2 and petitioner No. 1 started living separately and on complaint of respondent No. 2, present FIR was registered on 13.02.2017.
4. The matter is stated to have been amicably resolved between the parties in terms of settlement deed dated 05.01.2023 and the parties are residing together since 22.12.2022.
5. 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.
6. Petitioner Nos. 2 & 3 (through VC) and Petitioner No. 1 in person alongwith respondent No. 2 have been identified by SI Surabhi, PS: Mayur Vihar, 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.
7. 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. 48/2017 under Sections 498A/406/34 IPC



registered at PS: Mayur Vihar PH-1, Delhi and 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 learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 02, 2024/R