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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 05.02.2024

+ CRL.M.C. 867/2024

SANDEEP JAIN & ORS.

..... Petitioners

Through: Mr.Amit Verma and Ms.Swati Sood,
Advocates with Petitioners-in-person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with
SI Jaiveer Kumar, PS: Palam Village.
Ms.Sarla Tanwar, Advocate 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. 338/2021, under Sections 498A/406/34 IPC registered at P.S.: Palam Village and proceedings emanating therefrom. Section 354 IPC is stated to have been subsequently invoked.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith 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 02.05.2014. Due to temperamental differences, respondent



No.2 and petitioner No.1 started living separately since 01.08.2020. Present FIR was registered on 12.08.2021, pursuant to complaint lodged by respondent No. 2.

4. The matter is stated to have been amicably resolved between the parties, in terms of settlement dated 27.07.2023 arrived at Delhi Mediation Centre, Dwarka Courts, New Delhi. 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 21.10.2023.

5. Balance amount of Rs. 3,00,000/- has been paid to respondent No. 2 through Demand Draft No. 162386 dated 15.11.2023 drawn on Bank of Baroda, Mahavir Enclave, New 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. Petitioner No. 1 as well as respondent No. 2 as well as petitioner Nos. 2 to 6 are present in person and have been identified by SI Jaiveer Kumar, PS: Palam Village. 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



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Court. Consequently, FIR No. 338/2021 under Sections 498A/406/34 IPC and Section 354 IPC, registered at PS Palam Village and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. A copy of this order be forwarded to the concerned Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 05, 2024/v