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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 06.02.2024

+ CRL.M.C. 945/2024

SH RAJAN & ORS.

..... Petitioners

Through: Mr. M. K. Singh and Ms. Yamini Vats, Advocates with Petitioners in-person.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with SI Manish, PS: Welcome.
Mr. Pankaj Kumar, 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)

CRL.M.A. 3790/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 945/2024

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. 0411/2019 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS: Welcome, 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 18.02.2012. Two baby girls were born out of the wedlock, who are stated to be aged about 09 and 07 years, respectively. Due to temperamental differences, respondent No. 2 and petitioner No. 1 started living separately since 2017. On complaint of respondent No. 2, present FIR was registered.

4. The matter is stated to have been amicably resolved between the parties in terms of settlement deed dated 02.11.2022. The marriage between petitioner No. 1 and respondent No. 2 is stated to have been dissolved by way of mutual consent under Section 13B(2) of the Hindu Marriage on 23.09.2023.

5. Balance amount of Rs. 2,00,000/-, out of the total settlement amount of Rs. 6,00,000/- has been paid to respondent No. 2 today through DD No. 551596 dated 11.12.2023 drawn on Canara Bank, Pahar Ganj, 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. Petitioner No. 2 is state to have expired.

7. Petitioners and respondent No. 2 are present in the court today and have been identified by SI Manish, PS: Welcome, 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. 0411/2019 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS: Welcome, 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 06, 2024/R