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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 08.02.2024

+ CRL.M.C. 1011/2024

SANJEEV KUMAR PANCHAL & ORS.

..... Petitioners

Through: Mr.Akhil Sabharwal, Advocate with
petitioners in person.

versus

STATE (GNCTD) & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for the State
with W/SI Sunita, PS Uttam Nagar.
and SI Jitender Kumar, PS BHD
Nagar.
Mr.Subhash, 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. 4036/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1011/2024

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. 626/2021, under Sections 498A/406/34 IPC registered at P.S.: Baba Haridas Nagar, Delhi and the proceedings emanating therefrom. Section 323 and 509 IPC were subsequently invoked by prosecution.



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 petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 07.12.2019. 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. 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 Agreement dated 05.09.2023. The petition for divorce by way of mutual consent is stated to be pending for 20.07.2024. An amount of Rs.1,80,000/- out of total settlement amount of Rs.6,00,000/- has been paid today to respondent No. 2 through Cheque No. 039403 dated 08.02.2024 drawn on State Bank of India, Old Roshan Pura, Najafgarh, New Delhi Branch, in favour of respondent No. 2.
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. Petitioners as well as respondent No. 2 are present in person and have been identified by SI Jitender Kumar, PS Baba Haridas Nagar. 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. 626/2021, under Sections 498A/406/323/509/34 IPC registered at P.S.: Baba Haridas Nagar and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 08, 2024/v