



2024:DHC:940



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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. 1032/2024

JANAKRAJ & ORS.

..... Petitioners

Through: Mr.Pradeep Kumar Gupta, Advocate
with petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State
with W/SI Nisha, PS Palam Village.
Ms.Shalini, 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. 4103/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1032/2024

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. 0436/2021, under Sections 498A/406/354/34 IPC registered at P.S.: Palam Village and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for



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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 23.11.2017. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since March, 2018. On complaint of respondent No.2, present FIR was registered on 10.11.2021.

4. The matter is stated to have been amicably resolved between the parties, in terms of MOU/Settlement Deed dated 21.10.2023. 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 22.11.2023.

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 W/SI Nisha, 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.

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



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Court. Consequently, FIR No. 0436/2021, under Sections 498A/406/354/34 IPC registered at P.S.: Palam Village and the proceedings emanating therefrom stand quashed.

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

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 08, 2024/v