



2024:DHC:6764



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 04.09.2024

+ CRL.M.C. 965/2024

AKHILESH KUMAR BHADORIA & ORS.

.....Petitioners

Through: Mr. Praveen Singh, Mr. Durgesh
Nandini and Mr. Sandip Kumar,
Advocates with petitioners in-person.

versus

STATE & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Sukhvir Singh, PS: Mandawli.
Ms. Naiem J. Heena (DHCLSC) and
Mr. Raj Kumar, Advocates for R-2
with R-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. 0091/2011, under Sections 498A/406/34 IPC, registered at PS: Mandawli Fazalpur, East Delhi and 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 02.02.2006. A female child was born out of the wedlock, who



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is presently in custody of respondent No. 2. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 08.03.2011.

4. The disputes are stated to have been initially settled between the parties in terms of Settlement Deed dated 16.07.2014 arrived at Counselling Cell, Family Court, East Vishwas Nagar, Delhi, whereby, respondent No. 2 undertook to render assistance for purpose of quashing of present FIR. However, since respondent No. 2 did not cooperate for purpose of quashing of aforesaid FIR, a subsequent agreement was further entered into between parties vide Settlement Deed dated 17.02.2020, whereby, petitioner agreed to pay an additional amount of Rs. 50,000/- for purpose of settlement. 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 24.08.2015.

5. An amount of Rs. 1,50,000/- has been paid to respondent No. 2 today through DD No. 505498 dated 10.08.2024 drawn on ICICI Bank, Janakpuri, Delhi in favour of respondent No. 2.

6. Respondent No. 2, who is present in person along with her counsel, submits that she has no further grievance in this regard and has no objection to quashing of FIR in terms of settlement between the parties.

7. Learned APP for the State submits that in view of amicable settlement between the parties, she has no objection in case the FIR in question is quashed.

8. Petitioners and respondent No. 2 are present in person and have been identified by SI Sukhvir Singh, PS: Mandawli. I have interacted with the parties and they confirm that the matter has been amicably settled between



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them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties.

9. 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. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 0091/2011, under Sections 498A/406/34 IPC, registered at PS: Mandawli Fazalpur, East Delhi and proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J

SEPTEMBER 04, 2024/R