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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 04.03.2024

+ CRL. M.C. 980/2024

RISHABH KUMAR GUPTA @RESHU & ORS. .... Petitioners

Through: Mr.Vipin Malik, Advocate alongwith  
petitioners in person.

versus

STATE THROUGH SHO

P.S. NEW ASHOK NAGAR & ANR. .... Respondents

Through: Ms. Kiran Bairwa, APP with WSI  
Ritika Chaudhary, PS New Ashok  
Nagar.

Mr.Vipin Tiwari, Advocate alongwith  
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. 3921/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

**CRL. M.C. 980/2024**

1. Petition under Article 226 of the Constitution of India read with 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. 054/2021, under Sections 498A/323/34 IPC registered at P.S.: New Ashok Nagar and proceedings emanating therefrom.

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 27.11.2017. A female child was born out of the wedlock who is presently in custody of respondent No.2. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. Present FIR was registered on the complaint of respondent No. 2, on 06.03.2021.

4. The disputes have been amicably settled between the parties vide Settlement Agreement dated 09.06.2023. 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 11.10.2023.

5. Balance amount of Rs. 6,00,000/- has been paid to respondent No.2 today through DD No.483556 dated 27.02.2024 drawn on Bank of Baroda, Chowkbara, New Delhi Branch in favour of respondent No. 2, towards full and final settlement between the parties.

6. Learned counsel for the petitioners points out that in terms of the Settlement Agreement between the parties, the minor child would also have recourse as per provisions of law for seeking appropriate relief from the concerned Court, for maintenance, education and up-bringing.

7. 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.

8. Petitioners as well as respondent No. 2 in person have been identified



by ASI Sokindra Kumar, presently posted at PS: Mansarovar Park. 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.

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. Consequently, FIR No. 054/2021, under Sections 498A/323/34 IPC registered at P.S.: New Ashok Nagar and the proceedings emanating therefrom stand quashed.

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

**ANOOP KUMAR MENDIRATTA, J.**

**MARCH 04, 2024/v**