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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.02.2024

+ CRL.M.C. 1106/2024

NAVEEN KUMAR & ORS.

..... Petitioners

Through: Mr.Vikram Singh, Mr.H.L.Dagar and
Mr.Vikas Hooda, Advocates with
petitioners in person.

versus

STATE GOVT. OF NCT DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Rakesh, PS Fatehpur Beri.
Ms.Shilpi Singh and Mr.Shilankar,
Advocates 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. 4373/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1106/2024

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. 210/2018, under Sections 498A/406/34 IPC registered at P.S.: Fatehpur Beri and proceedings emanating therefrom. Section 506 IPC has



been subsequently invoked by the 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 16.05.2010. A daughter was born out of the wedlock on 20.12.2015. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 27.12.2017. A complaint was filed on behalf of respondent No.2 on 08.05.2017 against the petitioners in Crime Against Women Cell, South (CAW Cell) which culminated in filing of present FIR.

4. The matter is stated to have been amicably resolved between the parties vide Settlement Agreement dated 18.04.2023 arrived at Mediation Centre, Saket Courts, New Delhi. 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 05.06.2023. An amount of Rs.1,50,000/- out of total settlement amount of Rs.4,50,000/- has been paid today to respondent No. 2 through DD No.010946 dated 15.01.2024 drawn on IDBI Bank, Paradixe Plaza, Old GT Road, Near Arora Nurshing Home, Palwal, Haryana- 121102 Branch, in favour of respondent No. 2. It is also informed that an FDR of Rs.5,00,000/- has be deposited in the name of daughter by petitioner No.1 under the guardianship 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 Rakesh, PS: Fatehpur Beri. 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. 210/2018, under Sections 498A/406/506/34 IPC registered at P.S.: Fatehpur Beri and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending application, if any, also stands disposed of.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 12, 2024/v