



\$~58

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 12.02.2024

+ CRL.M.C. 1109/2024

DEEPAK & ORS.

..... Petitioners

Through: Mr.Yashpal Jolly, Advocate with
petitioners in person.

versus

THE STATE OF NCT THROUGH SHO & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Ashish Yadav, PS Rajouri
Garden.Ms.Gaisha Sharma, Advocate with
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

%

J U D G M E N T**ANOOP KUMAR MENDIRATTA, J (ORAL)****CRL.M.A. 4387/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1109/2024

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. 746/2018, under Sections 498A/406/34 IPC registered at P.S.: Rajouri Garden, Delhi and the 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 and two children were born out of the wedlock. Due to temperamental differences between the parties, petitioner No.1 and respondent No.2 started living separately and on complaint of respondent No.2, present FIR was registered on 22.12.2018.

4. The matter is stated to have been orally settled between the parties with the intervention of family members on 13.06.2023 and petitioner No.1 and respondent No.2 are now living together.

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 have been identified by SI Ashish Yadav, PS Rajouri Garden, Delhi. 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. 746/2018, under Sections 498A/406/34 IPC registered at P.S.: Rajouri Garden, Delhi and the proceedings emanating therefrom stand quashed.



2024:DHC:1073



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

ANOOP KUMAR MENDIRATTA, J.
FEBRUARY 12, 2024/v