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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 14.02.2024

+ CRL.M.C. 1181/2024

VIJAY GUPTA AND ORS.

..... Petitioners

Through: Mr.Dharmendra Vashishtha and
Mr.Amarjeet Singh Dudeja,
Advocates with petitioners in person.

versus

STATE AND ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with
SI Jitendra Kumar, PS Mukherjee
Nagar.
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. 4672-73/2024**

Exemption allowed, subject to just exceptions.

Applications stand disposed of.

CRL.M.C. 1181/2024

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. 354/2016, under Sections 498A/406/34 IPC registered at P.S.: Mukherjee Nagar and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and respondent No.2 in person appear on advance notice and accept notice.



3. In brief, as per the case of the petitioner, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 10.02.2012. A child was born out of the wedlock on 25.11.2012. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 03.04.2015. Present FIR was registered on 16.03.2016, pursuant to complaint lodged by respondent No. 2.
4. The matter is stated to have been amicably settled between the parties with the intervention of well wishers of both families which has been notarised on 07.02.2024 and the parties are residing together since 01.12.2017.
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 Jitendra Kumar, PS: Mukherjee Nagar. 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. 354/2016, under Sections 498A/406/34 IPC registered at P.S.: Mukherjee Nagar 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 14, 2024/v