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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.02.2024

+ CRL.M.C. 1423/2024

SH. VIKASH & ORS.

..... Petitioners

Through: Mr. Vikrant Malik, Advocate with
Petitioners-in-person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Naresh Kumar, PS: Baba Haridas
Nagar, Delhi.
Mr. Rohan Kumar, Advocate 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)

CRL.M.A. 5627/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1423/2024

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. 0569/2015, under Sections 498A/406/34 IPC, registered at P.S.: Baba Haridas Nagar, Delhi and the proceedings emanating therefrom. Chargesheet has been filed under Sections 498A/406/354A/34 IPC.

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 15.05.2014. No child was born out of the said wedlock. Due to temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately since 16.05.2015. On complaint of respondent No. 2, present FIR was registered on 17.10.2015.

4. The matter is stated to have been amicably resolved between the parties in terms of settlement deed dated 25.05.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act as per decree of divorce dated 14.10.2023.

5. Balance amount of Rs. 3,25,000/- has been paid to respondent No. 2 through Demand Draft No. 259345 dated 06.02.2024 drawn on Axis Bank, Nazafgarh Branch, towards full and final settlement between the parties.

6. 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.

7. Petitioners as well as respondent No. 2 are present in person and have been identified by SI Naresh Kumar, PS: Baba Haridas Nagar, 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.



8. 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. 0569/2015, under Sections 498A/406/354A/34 IPC, registered at P.S.: Baba Haridas Nagar, Delhi and the 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 the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 21, 2024/R