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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 27.02.2024

+ CRL.M.C. 1566/2024

AMIT KUMAR SHARMA & ORS.

..... Petitioners

Through: Mr.Dushyant Bhargava, Mr.Pawan
Mehta, Mr.Vikram Singh and
Mr.Nikhil Rawat, Advocates
alongwith petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Manish, PS Welcome.
Mr.Manish Sharma and Ms.Riya
Goyal, Advocates 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. 6122/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1566/2024

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. 756/2021, under Sections 498A/406/506/34 IPC and Section 4 of Dowry Prohibition Act, registered at P.S.: Welcome and proceedings



emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 (through VC) 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 08.12.2019. No child was born out of the wedlock. 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.

4. The matter has been amicably settled between the parties vide Settlement Deed dated 09.11.2023. The first motion of divorce by way of mutual consent is stated to have been allowed on 19.12.2023 by learned Principal Judge, Family Courts, Karkardooma Courts.

5. An amount of Rs. 3,00,000/- has been paid today to respondent No.2 through Cheque No.136903 dated 27.02.2024 drawn on Canara Bank, Delhi Rohtas Nagar Branch in favour of respondent No. 2 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 in person have been identified by SI Manish, PS: Welcome. 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. 756/2021, under Sections 498A/406/506/34 IPC and Section 4 of Dowry Prohibition Act, registered at P.S.: Welcome 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 learned trial court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 27, 2024/v