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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. 1575/2024

CHANDAN KUMAR & ORS.

..... Petitioners

Through: Mr.Umang Jain, Advocate alongwith
petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI)

THROUGH S.H.O. & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI C.P. Yadav, PS Bharat Nagar,
Delhi.Mr.Sanjay Kumar Jha, Advocate
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. 6135/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1575/2024

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. 26/2020, under Sections 498A/406/34 IPC registered at P.S.: Bharat Nagar and 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 on 25.06.2018. A female child was born out of the wedlock and is presently in custody of respondent No.2. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 19.05.2019. On the complaint of respondent No. 2, present FIR was registered on 20.01.2020.
4. The disputes have been amicably settled between the parties vide Settlement Agreement dated 06.10.2023. 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 03.01.2024.
5. An amount of Rs. 80,000/- has been paid today to respondent No.2 through DD No.854698 dated 03.02.2024 drawn on Punjab National Bank, Narela Road, Ghevera, Delhi Branch in favour of respondent No. 2.
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. Petitioner No.1, respondent No. 2, petitioners No.2 to 5 & 7 (through VC) have been identified by SI C.P. Yadav, PS: Bharat Nagar. Presence of petitioner No.6 Rajni Devi is exempted. 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. 26/2020, under Sections 498A/406/34 IPC registered at P.S.: Bharat Nagar and the proceedings emanating therefrom stand quashed.

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

A copy of this order be forwarded to learned trial court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 27, 2024/v