



2024:JHC:1585



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 28.02.2024

+ W.P.(CRL.) 693/2024

ANKUSH GARG AND ANR.

..... Petitioners

Through: Mr. Reepak Kansal, Adv. alongwith
petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC
(Crl.), GNCTD with WSI Sakshi, PS
Hari Nagar.Mr. Nikhil Kataria, Adv. 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. Nos. 6429-30/2024**

Exemption allowed, subject to just exceptions.

Applications stand disposed of.

W.P.(CRL.) 693/2024

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. 0195/2023, under Sections 498A/406/34 IPC registered at P.S.: Hari 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



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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 07.07.2022. 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 on 09.07.2023.

4. The disputes have been amicably settled between the parties vide Compromise Deed dated 18.10.2023. 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 07.12.2023.

5. Balance amount of Rs. 5,00,000/- out of total settlement amount of Rs.8,00,000/- has been paid today to respondent No.2 through DD No.201563 dated 17.01.2024 drawn on Standard Chartered Bank 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 WSI Sakshi, PS: Hari 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.

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. 0195/2023, under Sections 498A/406/34 IPC registered at P.S.: Hari Nagar and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 28, 2024/v