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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 29.02.2024

+ CRL.M.C. 1733/2024

VIKAS CHAUDHARY & ANR.

..... Petitioners

Through: Mr. Raja Panda and Mr. Nru Singh
Patro, Advs.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Ravi Shankar, PS Patel Nagar.
Mr. Parminder Singh Goindi, Adv. 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. 6634/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1733/2024

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. 0424/2019 under Sections 498A/406/34 IPC registered at P.S.: Patel Nagar, Delhi and the proceedings emanating therefrom.

2. Issue notice. Learned APP for the State as well as 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 27.01.2016. No child was born out of the wedlock. Due to temperamental differences between the parties, petitioner no. 1 and respondent No. 2 started living separately since 05.10.2016. On complaint of respondent No. 2, present FIR was registered on 30.12.2019.

4. The disputes are stated to have been amicably resolved between the parties, in terms of Settlement Deed dated 15.12.2022. 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 29.03.2023.

5. Balance amount of Rs. 1,00,000/- (Rupees One Lac Only) has been paid to respondent No. 2 today through DD No. 7840431 dated 11.01.2024 drawn on State Bank of India, Sadar Bazar Amballa Cantt. Branch in favour of respondent No. 2, towards full and final settlement between the parties.

6. Learned counsel for the petitioners submits that Smt. Nirmal Chaudhary, mother of petitioner no. 1 has expired during the course of proceedings and her death certificate has been annexed alongwith the petition.

7. 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.

8. Petitioners as well as respondent No. 2 are present in person and have been identified by SI Ravi Shankar, PS Patel 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.

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. 0424/2019 under Sections 498A/406/34 IPC registered at P.S.: Patel 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 29, 2024/akc