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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 04.03.2024

+ CRL. M.C. 1795/2024

RAMAN BATRA & ORS.

..... Petitioners

Through: Mr. Kunal Sharma, Ms.Asha Garg and
Mr.Yogesh Swaroop, Advocates
alongwith petitioners in person.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Through: Mr.Mukesh Kumar, APP with ASI
Sokindra Kumar, PS Mansarovar Park
& SI Avaneesh Kumar, PS Krishna
Nagar.
Mr.Anil Kumar Mehta, 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. 6847/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL. M.C. 1795/2024

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. 033/2019, under Sections 498A/406/34 IPC registered at P.S.: Krishna Nagar and proceedings emanating therefrom. Chargesheet has



been filed under Sections 498A/406/354A/509/34 IPC.

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 20.02.2007. Two children were born out of the wedlock who are presently in custody of respondent No.2. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 16.10.2017. Present FIR was registered on the complaint of respondent No. 2, on 19.02.2019.

4. The disputes have been amicably settled between the parties vide Memorandum of Understanding/Settlement dated 27.04.2023. 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 17.10.2023.

5. An amount of Rs. 27,00,000/- have been paid to respondent No.2 today through DD No.198370 dated 20.03.2024 drawn on Kotak Mahindra Bank, Sadar Bazar, New Delhi 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 ASI Sokindra Kumar, presently posted at P.S.: Mansarovar Park. 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. 033/2019, under Sections 498A/406/354A/509/34 IPC registered at P.S.: Krishna 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.

MARCH 04, 2024/v