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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 05.03.2024

+ CRL.M.C. 1861/2024

KAPIL & ORS.

..... Petitioners

Through: Mr.Montu and Mr.Jagdish Diwakar
Advocates with petitioners in person.

versus

STATE OF GNCT OF DELHI
THROUGH SHO & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with
Insp. Rajesh Vijay (SHO) & ASI Ajit
Kumar, PS Bharat Nagar.
Ms.Deepali Sharma and Mr.Praveen
Kumar, Advocates with 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. 7084/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1861/2024

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. 557/2020, 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 19.02.2018. A female child was born out of wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 06.08.2019. Present FIR was registered on the complaint of respondent No. 2, on 01.10.2020.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Agreement dated 26.11.2021 and the parties are since residing together.

5. 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.

6. Petitioners as well as respondent No. 2 are present in person and have been identified by ASI Ajit Kumar, P.S.: Bharat 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 they have been residing together happily and she has no objection in case the FIR in question is quashed.

7. 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. 557/2020, 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 stand disposed of.

MARCH 05, 2024/v **ANOOP KUMAR MENDIRATTA, J.**