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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 06.03.2024

+ CRL. M.C. 1893/2024

ROHAN CHOUDHARY

..... Petitioner

Through: Mr.H.P.Sharma and Mr.Roshan
Kumar, Advocates alongwith
petitioner in person.

versus

STATE THROUGH ITS SHO

P.S. AMAN VIHAR, NEW DELHI & ANR. Respondents

Through: Ms.Kiran Bairwa, APP with SI Ashish
Garg, PS Aman Vihar and SI Aarti
Jha, (IO), PS KNK Marg, Rohini.
Mr.Vishal Dabas, 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. 7257/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1893/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 77/2021, under Sections 498A/406/34 IPC registered at P.S.: Aman Vihar 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 24.08.2020. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 26.09.2020. Present FIR was registered on the complaint of respondent No. 2, on 10.02.2021.

4. The disputes have been amicably settled between the parties vide Settlement Deed dated 01.12.2023. The first motion of divorce by way of mutual consent has been allowed on 20.12.2023 by learned Principal Judge, Family Courts, North-West, Rohini Courts, Delhi.

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. Petitioner as well as respondent No. 2 in person have been identified by SI Ashish Garg, PS: Aman Vihar. 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.

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. 77/2021, under Sections 498A/406/34 IPC registered at P.S.: Aman Vihar 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 learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

MARCH 06, 2024/v