



2024:DHC:5310



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 18.07.2024

+ W.P.(CRL) 789/2024

KRISHANA DHAMA AND ORS.

..... Petitioners

Through: Mr.Vineet Aggarwal, Mr.Jatin Kumar,
Mr.Kunal Chauhan and Mr.Surya
Naran Advocated with petitioners in
person.

versus

STATE NCT OF DELHI AND ANR.

.... Respondents

Through: Mr.Yasir Rauf Ansari, ASC (Crl.) for
State with Mr.Alok Sharma and
Mr.Vasu Agarwal, Advocates with
ASI Vikram Singh, P.S. Karawal
Nagar.
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. 7363/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 789/2024 & CRL.M.A. 7364/2024

1. Petition under Article 226 of the Constitution of India read with 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. 609/2020, under Sections 498A/406/34 IPC & Section 4 of Dowry Prohibition Act



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registered at P.S.: Karawal Nagar and proceedings emanating therefrom.

2. Issue notice. Learned ASC for the State along with 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 21.04.2015. A female child was born out of the wedlock who is presently in custody of respondent No.2. Due to temperamental differences, petitioner No.1 and respondent No.2 started living separately. On complaint of respondent No. 2, present FIR was registered on 23.12.2020.
4. The disputes are stated to have been amicably settled between the parties in terms of the affidavit of respondent No.2 dated 24.02.2024. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 18.12.2023, by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.
5. Balance amount of Rs.1,00,000/- has been paid to respondent No.2 today through DD No.383932 dated 03.07.2024 drawn on Punjab & Sind Bank, U.P. Border, Near Indrapuri Police Chowki, Loni District Ghaziabad, U.P. Branch in favour of respondent No.2.
6. Learned ASC for the State submits that in view of amicable settlement between the parties, he has no objection in case the FIR in question is quashed.
7. Petitioners and respondent No. 2 are present in person and have been identified by ASI Vikram Singh, P.S.: Karawal 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



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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. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No. 609/2020, under Sections 498A/406/34 IPC & Section 4 of Dowry Prohibition Act registered at P.S.: Karawal Nagar 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.

ANOOP KUMAR MENDIRATTA, J.

JULY 18, 2024/v