



2024 : DHC : 2004



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.03.2024

+ CRL.M.C. 2003/2024

ANAND KUMAR & ANR.

..... Petitioner

Through: Mr. Chandan Kumar Mandal and Mr.
Rajeev Kumar Tomar, Advs.

versus

THE STATE (GOVT. OF NCT DELHI) REPRESENT THROUGH
S.H.O. NIHAL VIHAR, DELHI & ANR. Respondents

Through: Mr. Kiran Bairwa, APP for State with
SI Sanjay Kumar, PS Nihal Vihar.
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. 7773/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2003/2024

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. 0611/2016 under Sections 498A/406/34 IPC registered at P.S.: Nihal Vihar, Delhi and the proceedings emanating therefrom.
2. Issue notice. Learned APP for the State as well as respondent no. 2 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 07.03.2003. Two sons were born out of the said wedlock, who are presently aged about 19 years and 18 years respectively. Due to temperamental differences between petitioner no. 1 and respondent no.2, respondent no. 2 started residing at her parental home since 05.09.2015. On complaint of respondent no. 2, present FIR was registered on 21.07.2016.
4. The disputes between the parties have been amicably resolved and both the parties are residing together since 11.04.2017.
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 Investigating Officer SI Sanjay Kumar, P.S.: Nihal Vihar, Delhi. 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. 0611/2016 under Sections 498A/406/34 IPC registered at P.S.: Nihal Vihar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also



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stand disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MARCH 12, 2024/akc