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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.03.2024

+ W.P.(CRL) 824/2024

ASHISH KAPOOR AND ORS

..... Petitioners

Through: Mr.Arbind Kumar and Mr.Kumar
Dinesh, Advocates with petitioners in
person.

versus

THE STATE N.C.T. OF DELHI AND ANR Respondents

Through: Mr.Anand V.Khatri, ASC (CrI.),
GNCTD with SI Sandeep Yadav, PS
Palam Village.
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. 7654/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 824/2024

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. 0546/2023, under Sections 498A/406/34 IPC registered at P.S.: Palam Village and proceedings emanating therefrom.



2. Issue notice. Learned APP for the State and 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 06.12.2021. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 01.05.2022. Present FIR was registered on the complaint of respondent No. 2, on 21.08.2023.
4. The disputes have been amicably settled between the parties vide Memorandum of Understanding/Settlement dated 16.09.2023. 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 14.12.2023.
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 in person have been identified by SI, Sandeep Yadav, P.S.: Palam Village. 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. 0546/2023, under Sections 498A/406/34 IPC



registered at P.S.: Palam Village 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 12, 2024/v