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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 20.03.2024

+ W.P.(CRL) 837/2024

LOKESH KUMAR

..... Petitioners

Through: Ms. Archana Sharma, Mr. Navneet Tanwar and Ms. Maha Nayyar, Advocates with Petitioner-in-person.

versus

THE STATE

..... Respondents

Through: Mr. Anand V. Khatri, ASC (Crl), GNCTD with W/ASI Sushma, PS Najafgarh.
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)

1. Petition under Article 226 of the Constitution of India read with 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. 388/2021, under Sections 498A/406/34 IPC registered at P.S.: Najafgarh and the proceedings emanating therefrom.
2. 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 28.06.2020. No child was born out of the wedlock. Due to temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately since 25.12.2020. On complaint of respondent No. 2, present FIR was registered on 26.07.2021.
3. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Deed dated 22.04.2022. 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 decree dated 15.09.2022.

4. 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.

5. Petitioners as well as respondent No. 2 are present in person and have been identified by ASI Sushma, P.S.: Najafgarh. 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 in respect of all the accused named in FIR including those who have not been impleaded as respondents since the case is still pending investigation.

6. 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. 388/2021, under Sections 498A/406/34 IPC registered at P.S.: Najafgarh 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 the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MARCH 20, 2024/v