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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 14.03.2024

+ CRL.M.C. 2096/2024

NARENDER KUMAR & ANR.

..... Petitioners

Through: Dr.Radha Parihar, Advocate with  
Petitioners-in-person.

versus

THE STATE & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with SI  
Avaneesh Kumar, PS: Krishna 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. 8111/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

**CRL.M.C. 2096/2024**

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. 10/2019, under Sections 498A/406/34 IPC, registered at P.S.: Krishna Nagar, Delhi and the 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 30.06.2017. 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 since 20.12.2017. On complaint of respondent No. 2, present FIR was registered on 09.01.2019.

4. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Deed dated 29.04.2022. 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 judgment dated 06.09.2023.

5. Balance amount of Rs.1,50,000/- has been paid to respondent No.2 today through DD No.533582 dated 13.03.2024 drawn on Ujjivan Small Finance Bank, Yamuna Vihar Branch in favour of respondent No. 2.

6. 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.

7. Petitioner No.1 as well as respondent No. 2 are present in person and have been identified by SI Avaneesh Kumar, P.S.: Krishna Nagar, Delhi. Presence of petitioner No.2 (Bimla Devi) is exempted. 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.

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. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 10/2019, under Sections 498A/406/34 IPC, registered at P.S.: Krishna Nagar, Delhi 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 14, 2024/v**