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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.03.2024

+ CRL.M.C. 2118/2024

YOGESH GUPTA & ANR.

..... Petitioners

Through: Mr.Sharvan Kumar, Advocate with
Petitioners-in-person.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Ms.Kiran Bairwa, APP with ASI
Munni Khan, PS Shahdara.
Ms.Renu Gupta, Advocate with
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. 8212/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2118/2024

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. 0209/2017, under Sections 498A/406/34 IPC & Section 4 of the D.P. Act, registered at P.S.: Shahdara and the proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith 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 04.06.2013. 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 19.07.2017.

4. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Deed dated 19.01.2023. 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 21.11.2023.

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 are present in person and have been identified by ASI Munni Khan, P.S.: Shahdara. 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. 0209/2017, under Sections 498A/406/34 IPC



& Section 4 of the D.P. Act, registered at P.S.: Shahdara 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 15, 2024/v