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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. 2119/2024

LOKESH SAPRA & ORS.

..... Petitioners

Through: Mr.Arun Kr. Gaur and Mr.Veeresh
Kr. Sharma, Advocates with
Petitioners-in-person.

versus

THE STATE & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP with SI Kulbir
Singh, PS Hari Nagar.
Mr.Rohan Malik, 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. 8219/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2119/2024

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. 1192/2015, under Sections 498A/406/34 IPC, registered at P.S.: Hari Nagar and the proceedings emanating therefrom. Sections 506/354 IPC have been subsequently invoked by the prosecution.
2. Issue notice. Learned APP for the State and learned counsel for



respondent No.2 alongwith respondent No. 2 in person alongwith her uncle 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 23.01.2014. A 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 22.04.2015. On complaint of respondent No. 2, present FIR was registered on 25.08.2015.

4. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Deed dated 04.09.2023. 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 06.11.2023.

5. Two separate DDs in sum of Rs.2,00,000/- each (DD No.933723 dated 22.02.2024 drawn on Union Bank of India and DD No.558712 dated 29.02.2024 drawn on Kotak Mahindra Bank) have been paid to respondent No.2 today, towards full and final settlement between the parties. It is clarified by the learned counsel for the petitioners that since minor child does not have a separate account in his name, one of the DDs of Rs.2,00,000/- has been handed to respondent No.2 in her name for requisite purpose in terms of Settlement Deed.

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. 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.

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. 1192/2015, under Sections 498A/406/506/354/34 IPC 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