



\$~71

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 18.03.2024

+ CRL.M.C. 2179/2024

SH JATIN CHAUDHARY & ORS.

..... Petitioners

Through: Mr. Sarvesh Kumar, Advocates with  
Petitioners-in-person.

versus

STATE GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms.Kiran Bairwa, APP for State with  
SI Deepak, PS: Timarpur.  
Mr. Narender Singh, Advocate for R-2  
with Respondent No. 2 in-person.

**CORAM:**

**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

%

**J U D G M E N T**

**ANOOP KUMAR MENDIRATTA, J (ORAL)**

**CRL.M.A. 8450/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

**CRL.M.C. 2179/2024**

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. 0386/2017, under Sections 498A/406/34 IPC, registered at P.S.: Timarpur, Delhi and the proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with 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 10.03.2015. A male child was born out of the wedlock on 19.11.2016, who is presently in custody of respondent No. 2. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately since 17.12.2016. On complaint of respondent No. 2, present FIR was registered on 29.08.2017.
4. The disputes are stated to have been amicably resolved between the parties vide settlement deed dated 26.06.2023. 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 07.12.2023.
5. Balance amount of Rs. 4,95,000/- has been paid to respondent No. 2 today through DD No. 562644 dated 26.02.2024 drawn on State Bank of India, Madhuban Branch, Delhi in favour of respondent No. 2, towards full and final settlement between the parties.
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 SI Deepak, P.S.: Timarpur, Delhi. 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. 0386/2017, under Sections 498A/406/34 IPC, registered at P.S.: Timarpur, 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 18, 2024/R**