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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.03.2024

+ CRL.M.C. 2250/2024

MANOJ KHERA & ANR.

..... Petitioners

Through: Mr.Paritosh Dhawan, Advocate with
Petitioners-in-person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Mukesh Kumar, APP with SI
Rahul Yadav, PS Kirti 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. 8737/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2250/2024 & CRL.M.A. 8736/2024

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. 420/2021, under Sections 498A/406/34 IPC registered at P.S.: Kirti Nagar 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 Sikh rites and ceremonies on 05.09.1996. First child was adopted by petitioner No.1 and respondent No.2 in April, 1999 and further a second child was born out of the wedlock on 09.02.2008. Due to temperamental differences between the parties, petitioner No. 1 and respondent No. 2 started living separately since 2018. On complaint of respondent No. 2, present FIR was registered on 14.09.2021.

4. The disputes are stated to have been amicably resolved between the parties vide Settlement Deed dated 15.09.2022. 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 25.05.2023.

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 SI Rahul Yadav, P.S.: Kirti Nagar. 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. 420/2021, under Sections 498A/406/34 IPC registered at P.S.: Kirti Nagar 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 19, 2024/v