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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.03.2024

+ CRL. M.C. 2354/2024

SANDEEP TOMAR & ORS.

..... Petitioners

Through: Mr.Rajeev Sharma and Mr.Gian
Prakash Gahlot, Advocates alongwith
petitioners in person.

versus

STATE AND ANR.

.... Respondents

Through: Ms.Kiran Bairwal, APP for State with
SI Anil Kumar, PS Pandav Nagar.
Mr.R.K. Gupta, Advocate alongwith
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. 9015/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL. M.C. 2354/2024

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.110/2023, under Sections 498A/406/34 IPC registered at P.S.: Pandav Nagar and 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 17.07.2021. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 10.11.2021. On the complaint of respondent No.2, present FIR was registered on 31.03.2023.

4. The disputes are stated to have been amicably settled between the parties vide Settlement Deed dated 06.01.2024. 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 19.02.2024. though a copy of the judgment has not been placed on record.

5. A balance amount of Rs. 5,00,000/- have been paid to respondent No.2 today through DD No.135355 dated 18.03.2024 drawn on Canara Bank, Govindapuram Colony, Ghaziabad 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. Petitioners No.1 and 2 (petitioners No.3 to 5 through VC) as well as respondent No. 2 are present in person and have been identified by SI Anil Kumar, P.S.: Pandav 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.



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.110/2023, under Sections 498A/406/34 IPC registered at P.S.: Pandav Nagar and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 21, 2024/v