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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 20.03.2024

+ CRL. M.C. 2277/2024

SAHIL GULATI & ORS.

..... Petitioners

Through: Mr.P.K.Shrivastava, Advocate
alongwith petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP with SI Ravi
Narwal, PS Moti Nagar.
Mr.Gurjas Singh Narula, 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)

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. 402/2018, under Sections 498A/406/34 IPC registered at P.S.: Moti Nagar and proceedings emanating therefrom. Section 354A IPC has 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 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 19.04.2018. No child was born out of the wedlock. Due to



temperamental differences, respondent No.2 and petitioner No.1 started living separately since 21.05.2018. Present FIR was registered on the complaint of respondent No. 2, on 29.10.2018.

4. The disputes are stated have been amicably settled between the parties vide Settlement Deed dated 29.08.2022. 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 27.09.2023.

5. An amount of Rs. 25,000/- has been paid to respondent No.2 today through DD No.756086 dated 24.01.2024 drawn on Union Bank of India, Paschim Vihar A Block Branch 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 in person have been identified by SI Ravi Narwal, P.S.: Moti 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. 402/2018, under Sections 498A/406/34 & 354A IPC registered at P.S.: Moti 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 20, 2024/v