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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 20.03.2024

+ W.P.(CRL) 922/2024, CRL.M.A. 8802/2024

GURINDER SINGH SURI AND ORS.

..... Petitioners

Through: Mr. Rajesh Kumar, Advocate with
Petitioners-in-person.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Amol Sinha, ASC for State with
SI Yashpal Singh, PS: CAW Cell,
Nanak Pura, Delhi.
Mr. Charanjeet Singh, Advocate for
R-2 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. 8801/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 922/2024, CRL.M.A. 8802/2024

1. Petition under Article 226 of the Constitution of India read with 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. 0053/2023, under Sections 498A/406/34 IPC, registered at P.S.: CAW Cell, Nanak Pura, Delhi and the proceedings emanating therefrom.

2. Issue notice. Learned ASC for the State and learned counsel for



respondent No. 2 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 17.04.1994. Two children were born out of the wedlock on 19.09.1995 and 17.08.2001 respectively. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately since 17.10.2019. On complaint of respondent No. 2, present FIR was registered on 03.08.2023.

4. The disputes have been amicably resolved between the parties vide settlement deed dated 18.01.2024. 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 26.02.2024.

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. Petitioner No. 1 as well as respondent No. 2 are present in person and have been identified by SI Yashpal Singh, PS: CAW Cell, Nanak Pura, Delhi. I have interacted with them 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. 0053/2023, under Sections 498A/406/34 IPC, registered at P.S.: CAW Cell, Nanak Pura, 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 20, 2024/R