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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 02.04.2024

+ **CRL.M.C. 2439/2024**

GAUTAM ANR ORS.

..... Petitioners

Through: Mr. A. N. Aggarwal, Ms. Meenakshi Yadav, Ms. Hema Aggarwal and Mr. Nukur, Advocates with Petitioners in-person.

versus

THE STATE (NCT OF DELHI) AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with Insp. Dinesh Chandra, P.S.: Khajori Khas. Mr. Raj Kumar and Mr. Akash Kashyap, Advocates 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. 9306/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2439/2024

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. 0292/2022, under Sections 498A/406/34 IPC registered at P.S.: Khajori Khas and proceedings emanating therefrom.

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



respondent No. 2 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 28.02.2019. No child was born out of the wedlock. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 09.03.2022.

4. The disputes have been amicably settled between the parties in terms of settlement deed dated 25.11.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce under Section 13 1(i-a) of the Hindu Marriage Act vide judgment dated 02.11.2022.

5. Balance amount of Rs. 3,00,000/- has been paid to respondent No. 2 today through DD No. 905488 dated 11.03.2024 drawn on Canara Bank, Air Head Quarters Vayu Bhawan Branch, New 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 Insp. Dinesh Chandra, P.S.: Khajori Khas, 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. It is also stated by the parties that in the List of Dates, reference



to petition under Section 25 of Guardian and Wards Act, 1890 has been inadvertently reflected due to typographical errors.

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. 0292/2022, under Sections 498A/406/34 IPC registered at P.S.: Khajori Khas, 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.

APRIL 02, 2024/R