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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 10.04.2024

+ CRL.M.C. 2448/2024

NAWAL KISHOR SHARMA AND ORS. Petitioners

Through: Mr.Bimlesh Kumar and Mr.Sushil
Kumar Singh, Advocates with
petitioner No.1 in person.

versus

THE STATE GNCT OF DELHI AND ANR Respondents

Through: Ms.Kiran Bairwa, APP for State with
SI Shantanu, P.S. Amar Colony.
Mr.D.C. Agarwal, Advocate with
respondent No.2 (through VC).

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. 9332/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2448/2024

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. 508/2018, under Sections 498A/406/34IPC registered at P.S.: Amar Colony and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No. 2 (through VC) 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 11.11.2017. No child was born out of the wedlock. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately since 19.03.2018. On complaint of respondent No. 2, present FIR was registered on 21.11.2018.

4. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 15.07.2022. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce under Section 13 B(2) of the Hindu Marriage Act vide judgment dated 03.11.2023.

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. Petitioner No. 1 in person, Petitioner No. 2 & 4 (through V.C.) and respondent No. 2 (through V.C.) have been identified by SI Shantanu, P.S.: Amar Colony. Presence of Petitioner No. 3 & 5 is exempted. 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. 508/2018, under Sections 498A/406/34IPC registered at P.S.: Amar Colony and 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 10, 2024/v