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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.04.2024

+ CRL.M.C. 2498/2024

DEVINDER KUMAR AND ORS.

..... Petitioners

Through: Mr. S. G. Goswami and Ms. Upasna Verma, Advocates with Petitioners-in-person.

versus

THE STATE AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with SI Pankaj Kumar, PS: Jyoti Nagar 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. 9492/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2498/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 0423/2019, under Sections 498A/406/34 IPC registered at P.S.: Jyoti Nagar and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with respondent No. 2, appear on advance notice and accept notice.



3. In brief, as per the case of prosecution, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 22.11.2017. 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 18.12.2019.
4. The disputes have been amicably resolved between the parties vide settlement deed dated 27.05.2023. 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 06.11.2023.
5. Balance amount of Rs. 1,50,000/- has been paid to respondent No. 2 today through DD No. 669075 dated 18.03.2024 drawn on Union Bank, Shahdara, New Delhi 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 and respondent No. 2 are present in person and have been identified by SI Pankaj Kumar, PS: Jyoti Nagar, 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.
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. 0423/2019, under Sections 498A/406/34 IPC registered at P.S.: Jyoti Nagar 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 15, 2024/R