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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. 2574/2024**

PARIJAT SARKAR

..... Petitioner

Through: **Mr. Atul Chopra, Advocate along with petitioner in person.**

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: **Ms.Meenakshi Dahiya, APP for the State with Mr.Bhanu Pratap singh, Advocate along with SI Prem Kumar, PS Mehrauli.
Ms.Hena Lamba, Advocate 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. 9827/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2574/2024

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. 0620/2019, under Sections 498A/406/323 IPC registered at P.S.: Mehrauli and proceedings emanating therefrom.

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 petitioner, marriage between petitioner and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 26.11.2007. A male child was born out of the wedlock who is presently in custody of respondent No. 2. Due to temperamental differences, respondent No.2 and petitioner started living separately since 01.03.2018. Present FIR was registered at the instance of respondent No. 2 on 09.11.2019.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Agreement dated 06.03.2023. 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 18.01.2024.

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 and respondent No. 2 are present in person and have been identified by SI Prem Kumar, PS: Mehrauli. 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. 0620/2019, under Sections 498A/406/323 IPC registered at P.S.: Mehrauli 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 and compliance.

ANOOP KUMAR MENDIRATTA, J.

APRIL 02, 2024/v