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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. 2582/2024

NIKHIL PANDIT & ORS.

..... Petitioners

Through: Mr. M. K. Saroja and Mr. Sunil Kr.
Kaushik, Advocates with Petitioners
in-person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
Insp. Prateek Saxena, PS: Shahdara.
Mr. Dev Rishi, Advocate for R-2 with
R-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. 9859/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2582/2024

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. 0319/2021, under Sections 498A/406/34 IPC registered at P.S.: Shahdara and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with Kunjan Khanna through VC appear on advance



notice and accept notice.

3. Learned counsel for the petitioners submits that though a Special Power Attorney has been executed by Ms. Kunjan Khanna in favour of her father, she has further joined the proceedings through VC, as she is presently posted in USA.

4. In brief, as per the case of the petitioners, marriage between petitioner No. 1 and Kunjan Khanna (daughter of respondent No. 2) was solemnized according to Hindu rites and ceremonies on 18.01.2019. No child was born out of the wedlock. Due to temperamental differences, petitioner No. 1 and Kunjan Khanna started living separately. On the complaint of respondent No. 2, being Special Power Attorney of his daughter namely Kunjan Khanna, present FIR was registered on 30.09.2021.

5. The disputes have been amicably resolved between the parties vide settlement deed dated 05.12.2022. The marriage between petitioner No. 1 and Kunjan Khanna has been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act vide judgment dated 09.05.2023.

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-in-person as well as Kunjan Khanna along with her father (through VC) have been identified by Insp. Prateek Saxena, PS: Shahdara, 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. Kunjan Khanna 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. 0319/2021, under Sections 498A/406/34 IPC registered at P.S.: Shahdara, New 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