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

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Date of Decision: 03.04.2024

+ **CRL.M.C. 2615/2024**

BIRENDER @ BEERU@VEERPAL & ORS. Petitioners

Through: Ms.Shikha Yadav and Mr.Manish Sahay, Advocates alongwith petitioners in person.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State with SI Satender Singh, PS Nanakpura.
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. 9985/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2615/2024

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. 0005/2020, under Sections 498A/406/34 IPC registered at P.S.: Crime (Women) Cell Nanakpura, Delhi and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and 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 23.02.2017. Two children were born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. Present FIR was registered on the complaint of respondent No.2 on 21.02.2020.

4. The disputes are stated to have been amicably settled between the parties whereby both respondent No.2 and petitioner No.1 are stated to be residing together for the past three years.

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. Petitioners and respondent No. 2 are present in person and have been identified by SI Satender Singh, PS: Nanakpura. 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. 0005/2020, under Sections 498A/406/34 IPC registered at P.S.: Crime (Women) Cell Nanakpura, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also



stand disposed of.

APRIL 03, 2024/v

ANOOP KUMAR MENDIRATTA, J.