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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. 2621/2024

ALOK JOLLY AND OTHERS.

..... Petitioners

Through: Mr. V.K. Mehta, Advocate alongwith
petitioners in person.

versus

THE STATE NCT OF DELHI & ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP with IO/SI
Vikas, PS Mansarovar Park.
Ms.Priyanka Rani and Mr.Tushar
Jiaswal, Advocates alongwith
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. 10000/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL. M.C. 2621/2024

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. 0470/2015, under Sections 498A/406/34 IPC & Section 4 of the Dowry Prohibition Act, registered at P.S.: Mansarovar Park (North East) 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 petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 24.04.2014. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On the complaint of respondent No. 2, present FIR was registered on 02.10.2015.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 28.09.2019. 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 11.12.2019.

5. Balance amount of Rs. 2,00,000/- has been paid to respondent No.2 today through DD No.427346 dated 04.12.2023 drawn on Punjab & Sind Bank, Babarpur, Shahdara, 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 as well as respondent No. 2 are present in person and have been identified by SI Vikas, P.S.: Mansarovar Park. 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. 0470/2015, under Sections 498A/406/34 IPC & Section 4 of the Dowry Prohibition Act, registered at P.S.: Mansarovar Park (North East) and the proceedings emanating therefrom stand quashed.

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

ANOOP KUMAR MENDIRATTA, J.

APRIL 03, 2024/v