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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. 2630/2024

ROHAN KHATRI & ORS.

..... Petitioners

Through: Mr. Shahzeb Ahmed, Mr. Shashi Kumar, Mr. Adeel Ahmad Khan and Mr. Wasil Khan, Advocates with petitioner No.1 (through VC).

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with SI Ravinder Sakhare, PS: Safdarjung Enclave.
Mr. Kanwarpreet Singh and Mr. Kanwardeep Singh, Advocates for Respondent No. 2.

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)**

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. 0342/2023, under Sections 498A/406/323/34 IPC registered at P.S.: Safdarjung Enclave 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 18.01.2017. A female child was born out of the wedlock on 06.07.2020. 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 28.12.2023.

4. The disputes are stated to have been amicably resolved between the parties vide settlement deed dated 14.03.2024, whereby, petitioner No. 1 and respondent No. 2 have agreed to reside together.

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 No. 1 (through VC), Petitioner Nos. 2 & 3 and respondent No. 2 in person have been identified by SI Ashish Yadav, P.S.: Rajouri Garden, 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.

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. 0342/2023, under Sections 498A/406/323/34 IPC, registered at P.S.: Safdarjung Enclave and proceedings emanating therefrom stand quashed.

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



Since a complaint also stands forwarded by respondent No. 2 to Lt. Gen. Rahul R. Singh, VSM GOC 2 CORPS, a copy of this order be also forwarded to the concerned officer, in order to ensure that no adverse action is initiated, on the basis of aforesaid complaint, in view of quashing of FIR, on the basis of Settlement between the parties.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

APRIL 03, 2024/R