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

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Date of Decision: 16.04.2024

+ W.P.(CRL) 1074/2024

GULSHAN & ORS.

..... Petitioners

Through: Ms. Anushka Sharma and Mr. Rahul Sharma, Advocates with Petitioners in-person.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Sanjeev Bhandari, ASC with Ms. Anvita Bhandari, Mr. Kunal Mittal, Mr. Arjit Sharma and Mr. Vaibhav Vats, Advocates with SI Sonam, PS: Prasad Nagar. Mr. S. C. Sharma, Advocates for R-2 with R-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)

1. Petition under Article 226/227 of the Constitution of India read with 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. 0157/2022, under Sections 498A/406/34 IPC, registered at P.S.: Prasad Nagar and proceedings emanating therefrom.

2. In brief, as per the case of petitioners, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and



ceremonies on 16.03.2020. No child was born out of the wedlock. 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 14.02.2022.

3. The disputes have been amicably resolved between the parties in terms of settlement deed dated 01.05.2023. 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 06.09.2023.

4. Balance amount of Rs. 1,75,000/- has been paid to respondent No. 2 today through DD No. 066410 dated 03.04.2024 drawn on Axis Bank, Karol Bagh, New Delhi Branch in favour of respondent No. 2, towards full and final settlement between the parties.

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 Sonam, PS: Prasad Nagar, 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. 0157/2022, under Sections 498A/406/34 IPC,



registered at P.S.: Prasad Nagar and 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 16, 2024/R