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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 08.04.2024

+ CRL. M.C. 2788/2024

SUBHASH SHARMA

..... Petitioner

Through: Mr. Vinod Pant, Advocate alongwith
petitioner in person.

versus

THE STATE & ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP with SI Vijay
Pal Singh, PS CAW, 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. 10590/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL. M.C. 2788/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 58/2014, under Sections 498A/406/34 IPC registered at P.S.: CAW, Nanakpura 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 petitioner, marriage between petitioner



and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 29.10.2010. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner started living separately. On the complaint of respondent No. 2, present FIR was registered on 24.03.2014.

4. Learned counsel for the petitioner clarifies that though initially in the FIR, mother-in-law and father-in-law of respondent No.2 were also named but only petitioner was summoned in the present FIR.

5. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 10.04.2023. 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 04.01.2024.

6. An amount of Rs. 1,00,000/- has been paid to respondent No.2 today through DD No.718885 dated 11.03.2024 drawn on State Bank of India, Dwarka, New Delhi Branch in favour of respondent No. 2 towards full and final settlement between the parties.

7. 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.

8. Petitioner as well as respondent No. 2 are present in person and have been identified by SI Vijay Pal Singh, P.S.: CAW, 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.

9. 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. 58/2014, under Sections 498A/406/34 IPC registered at P.S.: CAW, Nanakpura 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 learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

APRIL 08, 2024/v