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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. 2830/2024**

MUKESH KUMAR AND ORS

..... Petitioners

Through: Mr. Kshitiz Mahipal, Mr. Gaurav Gupta, Ms. Khairun Nisa and Ms. Geeta Devi, Advs.

versus

THE STATE NCT OF DELHI AND ANR

..... Respondents

Through: Mr. Ajay Vikram Singh, APP for State with SI Sachin, PS Seemapuri.
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. 10750/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2830/2024

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. 0371/2021, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act registered at P.S.: Seemapuri, Delhi.

2. Issue notice. Learned APP for the State and respondent No. 2 in person, appear on advance notice and accept notice.



3. In brief, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 10.11.2019 as recorded in the FIR. A male child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On complaint of respondent No.2, present FIR was registered on 02.08.2021.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 29.07.2022 and parties are residing together since then.

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 Sachin, PS Seemapuri. 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. 0371/2021, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act registered at P.S.: Seemapuri, 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/akc