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

+ **CRL.M.C. 3071/2024 and CRL.M.A. 11870/2024**

AMIT TANTI & ORS.

..... Petitioners

Through: **Mr.R.K.Naroola and Ms.Pratibha
Sharma, Advs.**

versus

STATE GOVT OF NCT DELHI & ORS.

..... Respondents

Through: **Ms.Kiran Bairwa, APP for the State.
SI Virender, PS Begumpur.
Mr.Dhiraj Madan, Adv for R-2.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

23.04.2024

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1. The instant 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. 389/2022, under Sections 498/406/34 of the Indian Penal Code, 1860 registered at P.S.: Begumpur, Delhi 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 16.04.2019. No child was born out of the wedlock. For the purpose of earning livelihood, petitioner No. 1 left India for Lusaka, Zambia, South Africa on 21.09.2019 and since that day, petitioner No.1 and respondent No. 2 have been living separately.

3. On complaint of respondent No. 2, present FIR was registered on



22.05.2022.

4. As stated, the disputes have been amicably resolved between the parties in terms of settlement deed dated 28.03.2023. 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, 1955 *vide* judgment dated 05.01.2024. In terms of the settlement, balance amount of Rs. 4,00,000/- has been paid to respondent No. 2 today through Demand Draft No. 219554 dated 08.04.2024 drawn on State Bank of India, Ambedkar Nagar Sector 1, New Delhi Branch in favour of respondent No. 2, towards full and final settlement between the parties. The photocopy of the aforesaid Demand Draft has also been taken on record.

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 Virender, PS: Begumpur, 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 further remains to be adjudicated 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. 389/2022, under Sections 498/406/34 of IPC, registered at P.S.: Begumpur, Delhi 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.

PURUSHAINdra KUMAR KAURAV, J.

APRIL 23, 2024/MJ