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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 30.04.2024

+ CRL.M.C. 3357/2024

BHUPENDER &amp; ORS.

..... Petitioners

Through: Mr. Nitin Prakash, Mr. Tivesh Gaur  
and Ms. Gauri Gupta, Advs. with all  
petitioners in person.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with  
ASI Johri Lal, PS Prasad Nagar.

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. 12927/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

**CRL.M.C. 3357/2024**

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. 109/2019 under Sections 498A/406/34 IPC registered at P.S.: Prasad Nagar 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 petitioners, marriage between petitioner No. 2 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 29.04.2018. No child was born out of the wedlock. Due to temperamental differences, respondent No. 2 and petitioner No. 2 started living separately. On the complaint of respondent No. 2, present FIR was registered on 22.05.2019.

4. The disputes are stated to have been amicably settled between the parties in terms of mediation settlement dated 06.02.2024. The marriage between petitioner No. 2 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 15.03.2024.

5. Balance amount of Rs. 1,50,000/- has been paid to respondent No. 2 today through DD No. 182794 dated 26.04.2024 drawn on Punjab National Bank, Bank Street, Karol Bagh Branch, New Delhi in favour of respondent No. 2, in terms of settlement between the parties.

6. 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.

7. Petitioners as well as respondent No. 2 are present in person and have been identified by ASI Johri Lal, PS Prasad Nagar. 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.

8. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by



2024:0002:3405



keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 109/2019 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 30, 2024/akc**