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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 06.05.2024

+ CRL. M.C. 3603/2024

RAJAN KASHYAP

..... Petitioner

Through: Mr. Sunil Kumar, Advocate with
Petitioner-in-person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Meenakshi Dahiya, APP with
Mr. Chaaitanya Jain and Mr. Shishav
Shukla, Advocates with SI Kavish
Rana, PS: Laxmi Nagar.
Mr. Amit Kumar and Mr. Mohd.
Suhail, 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)

CRL.M.A. 13830/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 3603/2024

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. 0239/2017, under Sections 498A/34 IPC, registered at P.S.: Shakarpur (East) and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for



respondent No. 2 along with respondent No. 2 in person appear on advance notice and accept notice.

3. In brief, as per the case of the petitioners, marriage between petitioner and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 21.02.2007. Two female children were born out of the wedlock, who are presently in custody of respondent No. 2. Due to temperamental differences, petitioner and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 01.06.2017.

4. The disputes have been amicably resolved between the parties vide settlement deed dated 20.10.2023. The marriage between petitioner 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 30.03.2024.

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. Petitioner as well as respondent No. 2 are present in person and have been identified by SI Kavish Rana, PS: Laxmi Nagar. Co-accused / family members of the petitioner are stated to have been discharged vide order dated 24.11.2021. 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 he 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. 0239/2017, under Sections 498A/34 IPC, registered at P.S.: Shakarpur (East) 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 learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 06, 2024/R