



2024:DHC:4976



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 05.07.2024

+ CRL.M.C. 3656/2024

PARVEEN SINGH & ORS.

..... Petitioners

Through: Mr.Shikhar Khatri, Advocates with
petitioners No.1, 4 and 5 in person and
petitioners No.2 and 3 through VC.

versus

THE STATE, GOVERNMENT OF NATIONAL CAPITAL
TERRITORY OF DELHI & ANR.

.... Respondents

Through: Mr.Sanjay Lao, Standing Counsel
(Crl.) & Ms.Kiran Bairwa, APP for
State with SI Mohit, P.S. Vijay Vihar.
Mr.Sarthak Tomar and Mr.Gopal
Singh, Advocates with 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)**

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. 689/2018, under Sections 498A/406/34 IPC registered at P.S.: Vijay Vihar and proceedings emanating therefrom. Sections 377/494 IPC have been subsequently invoked.

2. In brief, as per the case of the petitioners, marriage between petitioner No.1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 20.02.2015. No child was born out of the said wedlock. Due



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to temperamental differences, petitioner No.1 and respondent No.2 started living separately. On complaint of respondent No. 2, present FIR was registered on 03.11.2018.

3. The disputes are stated to have been amicably settled between the parties in terms of Compromise Deed dated 21.12.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by judgment dated 13.04.2018 under Section 13(1)(ia)(iii) of the Hindu Marriage Act, 1955. An application filed on behalf of respondent No.2 challenging the same is further stated to have been withdrawn in terms of Compromise Deed dated 21.12.2023.

4. Learned counsel for the petitioners submits that Section 494 IPC was wrongly invoked by the prosecution at instance of respondent No.2, since the petitioner No. 1 had remarried in December 2018 only after the decree of divorce was granted in April 2018.

5. Balance amount of Rs. 4,25,000/- has been paid to respondent No.2 today through DD No.001391 dated 04.07.2024 drawn on HDFC Bank in favour of respondent No.2.

6. Learned APP for the State submits that in view of amicable settlement between the parties, he has no objection in case the FIR in question is quashed.

7. Petitioners No.2 & 3 (through VC), petitioners No.1, 4 & 5 and respondent No. 2 in person have been identified by SI Mohit, P.S.: Vijay Vihar. Presence of petitioners No.6 and 7 is exempted. 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



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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 keeping the case pending. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 689/2018, under Sections 498A/406/34/377/494 IPC registered at P.S.: Vijay Vihar 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.

JULY 05, 2024/v