



2024:DHC:5596



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 30.07.2024

+ CRL.M.C. 3706/2024

SURESH & ORS.

..... Petitioners

Through: Mr. Manish Gupta, Ms. Snehlata and
Mr. Jugal Shiva Thakur, Advocates
with Petitioners-in-person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR. Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with Ms. Ankita Kaushik, Ms. Vasuchit
Anand, Mr. Anvesh Chandik and
Mr. Shashank Harit, Advocates with
SI Khushbu Jha, PS: Anand Vihar.
Mr. R. P. S. Bhatti, Advocate for R-2
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 TANOOP KUMAR MENDIRATTA, J (ORAL)CRL.M.A. 14210/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 3706/2024

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. 0847/2015, under Sections 498A/406/34 IPC, registered at PS: Anand Vihar (East) and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State 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 No. 1 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 09.09.2012. Two female children were born out of the wedlock, who are presently in custody of respondent No. 2. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 21.12.2015.

4. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 19.09.2023. 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 vide judgment dated 09.01.2024.

5. Learned APP for the State submits that in view of amicable settlement between the parties, she 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 Khushbu Jha, PS: Anand Vihar. 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. 0847/2015, under Sections 498A/406/34 IPC, registered at PS: Anand Vihar (East) and proceedings emanating therefrom



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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 30, 2024/R