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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.05.2024

+ W.P.(CRL) 1548/2024

KULDEEP SINGH GUSAIN

..... Petitioner

Through: Mr. F. Alam, Adv. (through VC).

versus

STATE AND OTHERS

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC for State
with Mr. Alok Sharma and Mr. Vasu
Agarwal, Advs.

SI M.L. Meena, P.S. Sagarpur.

Mr. Siddharth Gupta, Mr. Gaurav
Bisht, Mr. Rajat Nagar and Mr. Apun
Sisodia, Advs. for R-2.

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. 15084/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 1548/2024

1. Petition under Article 226 of the Constitution of India read with 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. 0499/2018 under Sections 498A IPC registered at P.S.: Sagarpur 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 the petitioner, marriage between petitioner and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 08.05.2004. Two male children were born out of the wedlock. Due to temperamental differences, respondent No. 2 and petitioner started living separately. Younger son is in custody of respondent No. 2 till he attains majority. On complaint of respondent No. 2, present FIR was registered on 08.12.2018.
4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 12.12.2023.
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. Petitioner and respondent No. 2 are present in Court and have been identified by SI M.L. Meena, P.S.: Sagarpur. 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. 0499/2018 under Sections 498A IPC registered at P.S.: Sagarpur 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 16, 2024/akc