



2024:DHC:4177



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 22.05.2024

+ CRL.M.C. 4235/2024 & CRL.M.A. 16072/2024

RAJ KUMAR PANDEY AND ORS

..... Petitioners

Through: Mr. Vinod Dubey and Mr. Sachin
Luthra, Advs. with petitioner no. 1 &
3 in person.

versus

STATE NCT OF DELHI AND ORS

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI J.P. Sharma, PS Farsh Bazar.
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. 16073/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 4235/2024

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. 0421/2023 under Sections 498A/406/34 IPC registered at P.S.: Farsh Bazar, Delhi and proceedings emanating therefrom. Section 377 IPC and Section 4 of Dowry Prohibition Act were subsequently invoked by prosecution.



2. Issue notice. Learned APP for the State and respondent No. 2 in person appear on advance notice and accepts 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 27.01.2019. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On complaint of respondent No. 2, present FIR was registered on 27.09.2023.
4. The disputes are stated to have been amicably settled between the parties in terms of MOU/Settlement Deed dated 18.01.2024. 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 07.03.2024.
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. Petitioner No. 1, petitioner No. 3 and respondent No. 2 in person have been identified by SI J.P. Sharma, P.S.: Farsh Bazar. Presence of petitioner Nos. 2, 4, 5 & 6 are 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 parties and she has no objection in case the FIR in question is quashed.
7. Petitioners and respondent No. 2 intend to put quietus to the proceedings arising out of matrimonial disputes. The settlement shall promote harmony between the parties and permit them to move further in



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life. The chances of conviction are bleak in view of amicable settlement between the parties.

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. 0421/2023 under Sections 498A/406/377/34 IPC and Section 4 of Dowry Prohibition Act registered at P.S.: Farsh Bazar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this judgment be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 22, 2024/akc