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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 22.05.2024

+ W.P.(CRL) 1660/2024

ARIHANT JAIN AND ORS.

..... Petitioners

Through: Mr. Prateek Goswami and
Mr. Shashank Goswami, Advocates
with Petitioners-in-person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Advocate with
SI Rita, P.S.: Daryaganj.
Mr. Umang Jain, Advocate 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. 16170/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 1660/2024

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 petitioners for quashing of FIR No. 0347/2022, under Sections 498A/406/34 IPC, registered at P.S.: Daryaganj.

2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with respondent No. 2 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 26.04.2018. A female child born out of the wedlock. Due to temperamental differences, respondent No. 2 and petitioner No. 1 started living separately. Present FIR was registered on complaint of respondent No. 2 on 20.10.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 01.02.2024. 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 27.03.2024.

5. Balance amount of Rs. 5,00,000/- has been paid to respondent No. 2 today by petitioners through DD No. 850688 dated 20.05.2024 drawn on Yes Bank, Chanakyapuri, Delhi Branch in favour of respondent No. 2.

6. 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.

7. Petitioners and respondent No. 2 are present in Court and have been identified by SI Rita, P.S.: Daryaganj. 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.

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. 0347/2022, under Sections 498A/406/34 IPC, registered at P.S.: Daryaganj stands quashed.

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

ANOOP KUMAR MENDIRATTA, J.

MAY 22, 2024/R