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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 24.05.2024

+ CRL.M.C. 4284/2024

PRADEEP KUMAR & ORS.

..... Petitioners

Through: Mr.Siddharth Shankar Dev,
Ms.Simran, Mr.Layakram, Ms.Rajni,
Mr.Vikas Choudhary and
Mr.Mubashir Javed Siddiqui,
Advocates with petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP for State with
SI Lokendra Singh, P.S. Mehrauli,
Delhi.
Ms.Veronica Francis, Advocate 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)****CRL.M.A. 16256/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 4284/2024

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. 0039/2017, under Sections 498A/406/34 IPC registered at P.S.: Mehrauli and proceedings emanating therefrom.



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 04.12.2011. Two children were born out of the wedlock who are presently in custody of respondent No.2. 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 16.01.2017.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed/MOU dated 01.12.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by ex-parte decree of divorce dated 12.04.2018 under Section 13(1)(ia) of the Hindu Marriage Act, though a copy of the same has not been annexed with present petition.

5. Balance amount of Rs. 3,00,000/- has been paid to respondent No.2 today through DD No.049470 dated 23.04.2024 drawn on State Bank of India, Jewar (Dist. Bulandshahr) U.P. Branch in favour of respondent No.2, towards full and final settlement between the parties.

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 in person have been identified by SI Lokendra Singh, P.S.: Mehrauli. 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. 0039/2017, under Sections 498A/406/34 IPC registered at P.S.: Mehrauli 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 the learned trial court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 24, 2024/v