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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 27.05.2024

+ CRL.M.C. 4346/2024

SACHIN & ORS.

..... Petitioners

Through: Dr.Amar Nath Gupta, Mr.Santosh Kumar Sahu, Mr.Anand Jha, Mr.Harish Kapoor, Ms.Shilpi Vats, Ms.Mahima Pandit, Mr.Hary Bir and Mr.Jayant Anupam, Advocates with petitioners in person.

versus

GOVT. OF NCT OF DELHI & ANR.

.... Respondents

Through: Ms.Manjeet Arya, APP for State with SI Priya, P.S. Palam Village. Mr.Ranvijay Kumar, Mr.Raj Kumar, Ms.Rina Roy, Mr.Vishal Kumar and Mr.Manish Kumar, Advocates 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. 16496/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 4346/2024

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. 467/2021, under Sections 498A/406/34 IPC registered at P.S.: Palam Village 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 16.02.2020. A male child was born out of the wedlock who is 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 03.12.2021.
4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Agreement dated 12.07.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 23.04.2024 by way of mutual consent under Section 13B(2) of the Hindu Marriage Act. .
5. Balance amount of Rs. 3,00,000/- has been paid to respondent No.2 today through DD No.714545 dated 02.05.2024 drawn on Punjab National Bank, Model Town- III, 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 No.1 to 5 & 7, respondent No. 2 in person and petitioner No.6 (through VC) have been identified by SI Priya Singh, P.S.: Palam Village. 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. 467/2021, under Sections 498A/406/34 IPC registered at P.S.: Palam Village 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 27, 2024/v