



2024:DHC:5123



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 11.07.2024

+ CRL.M.C. 4366/2024

DHEERAJ YADAV

..... Petitioner

Through: Mr. Tushar Mehta, Mr. Kulbhushan Mehta, Mr. Aditya Mehta and Mr. Ankush Kapoor, Advocates with Petitioner-in-person.

versus

THE STATE (GOVT. OF NCT OF DELHI)
& ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with SI Nitesh Mahiya, PS: Samaypur Badli and SI Satpat, Traffic.
Mr. Ankit Gupta and Mr. Vikas Gupta and Mr. Bhavit Sharma, Advocates for R-2 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)**

1. Petition under 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. 0851/2021, under Sections 498A/406/506/34 IPC, registered at PS: Samaypur Badli and proceedings emanating therefrom.
2. 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 22.11.2015. A female child was born out of the wedlock, who is in custody of respondent No. 2. Due to temperamental differences, petitioner and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 10.11.2021.



3. The disputes are stated to have been amicably settled between the parties in terms of Memorandum of Understanding dated 21.08.2023. The marriage between petitioner 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 07.12.2023.

4. 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.

5. Petitioner and respondent No. 2 are present in person and have been identified by SI Nitesh Mahiya, PS: Samaypur Badli. 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.

6. 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. 0851/2021, under Sections 498A/406/506/34 IPC, registered at PS: Samaypur Badli 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.

JULY 11, 2024/R