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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 31.05.2024

+ CRL.M.C. 4497/2024

AKASH AND ORS.

..... Petitioners

Through: Mr.Siddharth Singh, Advocate with
petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR. Respondents

Through: Mr.Utkarsh, APP for State with SI
Vipin Shokeen, P.S. New Usmanpur.
Ms.Komal, 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. 16978/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 4497/2024

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. 765/2021, under Sections 498A/406/34 IPC & Section 4 of D.P. Act registered at P.S.: New Usmanpur 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 29.06.2020. 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 19.10.2021.
4. The disputes are stated to have been amicably resolved between the parties in terms of Settlement Agreement dated 23.12.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 22.03.2024 by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.
5. Balance amount of Rs. 1,20,000/- has been paid to respondent No.2 today through DD No.242463 dated 30.05.2024 drawn on Punjab National Bank, Pt. Yad Ram Pub. School, Bhajan Pura, Delhi Branch in favour of respondent No.2.
6. Learned APP for the State submits that in view of amicable settlement between the parties, he has no objection in case the FIR in question is quashed.
7. Petitioners and respondent No. 2 are present in person and have been identified by SI Vipin Shokeen, P.S.: New Usmanpur. 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. 765/2021, under Sections 498A/406/34 IPC & Section 4 of D.P. Act registered at P.S.: New Usmanpur and the proceedings emanating therefrom stand quashed.

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

ANOOP KUMAR MENDIRATTA, J.

MAY 31, 2024/v