



2024:DHC:5073



\$~34

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 10.07.2024

+ CRL.M.C. 4508/2024

ATUL GOYAL & ORS.

..... Petitioners

Through: Mr. Rajeev Kumar Malik,
Mr. Deepanshu Nainwal and
Mr. Dishant Chaudhary, Advocates
with Petitioners-in-person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Vishal, PS: Mayur Vihar.
Mr. Jitendra Anand, Advocate for R-2
with Respondent No. 2 in-person.

CORAM:**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

%

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 petitioners for quashing of FIR No. 0219/2015, under Sections 498A/406/34 IPC, registered at PS: Mayur Vihar Phase-1 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 24.05.1997. Two male children were born out of the wedlock, who are major. Due to temperamental differences, petitioner No. 1 and



2024:DHC:5073



respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 30.03.2015.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 31.10.2023 at the Delhi Mediation Centre, Karkardooma Courts, Delhi. 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 02.04.2024.

5. Balance amount of Rs. 17,00,000/- has been paid to respondent No. 2 today through DD Nos. 632983 and 632986 for Rs. 12 lakhs and Rs. 5 lakhs respectively, dated 24.04.2024 drawn on Indian Bank, Chandiwala Estate, Allahabad 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 person and have been identified by SI Vishal, PS: Mayur Vihar. 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. 0219/2015, under Sections 498A/406/34 IPC, registered at PS: Mayur Vihar Phase-1 and proceedings emanating therefrom



2024:DHC:5073



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 10, 2024/R