



2024:DHC:5301



\$~37

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 18.07.2024

+ CRL.M.C. 4751/2024

MAYUR RAWAT

..... Petitioner

Through: Mr.Amit Wadhwa, Mr.Vikrant Rana,
Dr.Nitin Sharma, Ms.Kartika Tyagi
and Mr.Rajesh Yadav, Advocates with
petitioner (through VC).

versus

STATE OF NCT OF DELHI & ANR.

.... Respondents

Through: Mr.Yudhvir Singh Chauhan, APP for
State with SI Krishan Kumar &
IO/ASI Birjesh Kumar, P.S. New
Ashok Nagar.
Mr.Jitender Kumar Garg, Advocate
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 petitioner for quashing of FIR No. 0254/2023, under Section 498A IPC registered at P.S.: New Ashok Nagar 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 petitioner, marriage between petitioner



2024:DHC:5301



and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 28.06.2009. Two children were born out of the wedlock who are presently 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 25.05.2023.

4. The disputes are stated to have been amicably settled between parties vide Settlement Deed dated 20.11.2023. First motion of divorce under Section 13(B)(1) of Hindu Marriage Act has been allowed vide order dated 27.01.2024.

5. 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.

6. Petitioner (through VC) and respondent No. 2 in person have been identified by ASI/IO Birjesh Kumar, P.S.: New Ashok Nagar. 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 she has no objection in case the FIR in question is quashed.

7. 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. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No. 0254/2023, under Section 498A IPC registered at P.S.: New Ashok Nagar and the proceedings emanating therefrom stand quashed.

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



2024:DHC:5301



A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

JULY 15, 2024/v