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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. 4760/2024**

**MAHENDER JI PATWA ALIAS MAHENDER PAL
AND ORS.**

..... Petitioners

Through: Mr. Tanveer Ahmed, Advocate with
Petitioners-in-person.

versus

THE STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Utkarsh, APP for State with
SI Sachin, PS: Khajuri Khas.

Mr. Aman Srivastava, Advocate 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)

CRL.M.A. 17812/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 4760/2024

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. 1044/2015, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at PS: Khajuri Khas 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 29.04.2013. Three children were born out of the wedlock. Due to temperamental differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 24.09.2015.
4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 31.08.2016 and petitioner No. 1 and respondent No. 2 are thereafter residing together for the last eight years.
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. Petitioners and respondent No. 2 are present in person and have been identified by SI Neeraj, PS: Subzi Mandi. 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.
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. It would be nothing but an abuse of the process of Court. Consequently, FIR No. 1044/2015, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at PS: Khajuri Khas 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.

MAY 31, 2024/R