



2024:DHC:6291



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.08.2024

+ CRL.M.C. 4827/2024

VINOD SHARMA & ORS.

.....Petitioners

Through: Mr.Manish Sharma and Ms.Riya
Goel, Advocates with Petitioners-in-
person.

versus

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

Through: Mr.Aman Usman, APP for State with
Mr.Sushanth Choudhary, Ms.Sunita
Farswan, Mr.G.R. Dhir, Mr.Akshay
Choudhary, Mr.Varun Sharma,
Mr.Rahul and Mr.Arun Sanwal,
Advocates alongwith SI Yogender
Singh, P.S. Anand Parbat.
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. 24839/2024**

Application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for amendment of petition, list of dates and synopsis.

For the reasons stated in the application, the same is allowed.



Application is accordingly disposed of.

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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. 167/2013, under Sections 498A/34 IPC, registered at P.S. Anand Parbat and proceedings emanating therefrom. Section 406 IPC is stated to have been subsequently invoked.
2. In brief, as per the case of the petitioners, marriage between Sanjeev Sharma (who has since expired) youngest brother of petitioner No. 1 & 2 and respondent No.2 was solemnized according to Hindu rites and ceremonies on 22.02.2004. A male child was born out of the wedlock who is presently 19 years old and in custody of respondent No.2. Due to matrimonial differences, youngest brother of petitioner No. 1 & 2 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 13.09.2013.
3. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 18.03.2024.
4. 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.
5. Petitioners and respondent No. 2 are present in person and have been identified by SI Yogender, P.S.: Anand Parbat. 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.



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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. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 167/2013, under Sections 498A/406/34 IPC, registered at P.S.: Anand Parbat 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

AUGUST 21, 2024/v