



2024:DHC:5243



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.07.2024

+ CRL.M.C. 5163/2024

AMIT AGRAWAL AND ORS.

..... Petitioners

Through: Mr. Mohd. Tasleem, Advocate with
Petitioner Nos. 1, 4 & 5 in-person.

versus

THE STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Rupesh Raj, PS: Subhash Place and
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. 19707/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5163/2024

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. 0093/2022, under Sections 498A/406/34 IPC, registered at PS: Subhash Place and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and 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 29.01.2019. No child was born out of the wedlock. Due to



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temperamental differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 13.01.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 12.06.2023. 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 03.01.2024.

5. An amount of Rs. 2,00,000/- has been paid to respondent No. 2 today through DD No. 027428 dated 27.05.2024 drawn on HDFC Bank, First India Place, Gurgaon, Haryana 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. Petitioner Nos. 4 & 5 (through VC), Petitioner No. 1 and respondent No. 2 in person have been identified by SI Rupesh Raj, PS: Subhash Place. Presence of petitioner Nos. 2, 3 and 6 to 8 is exempted. 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. 0093/2022, under Sections 498A/406/34 IPC, registered at PS: Subhash Place and proceedings emanating therefrom stand



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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 16, 2024/R