



2024:DHC:5147



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.07.2024

+ W.P.(CRL) 2090/2024

LUCKY GARG & ORS.

.....Petitioners

Through: Mr. Abhishek Aggarwal, Mr. Deepak
Goswami, Mr. Sunil Rao, Ms. Varsha
Thakur and Ms. Renu Bhartiya, Advs.

versus

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

Through: Mr. Anand Khatri, ASC (Crl.) for State
with SI L. Lama and ASI Shubram,
PS Sagarapur.
Mr. Ankit Gupta and Mr. Vishal Jindal,
Advs. for R-2 with R-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)**

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. 836/2022 under Sections 498A/406/34 IPC registered at P.S.: Sagar Pur and proceedings emanating therefrom.
2. Issue notice. Learned ASC 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 22.02.2019. A female child was born out of the wedlock, who



is presently in the custody of respondent no. 2. 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 24.12.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 05.02.2024. 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 09.04.2024.

5. An amount of Rs. 5,00,000/- has been paid to respondent No. 2 today through DD No. 836751 dated 31.05.2024 drawn on Punjab National Bank, Rajindra Place, New Delhi Branch in favour of respondent No. 2.

6. Learned ASC 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.

7. Petitioners and respondent No. 2 are present in person and have been identified by SI L. Lama and ASI Shubram, PS Sagarpur. 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. 836/2022 under Sections 498A/406/34 IPC registered at P.S.: Sagar Pur 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 12, 2024/akc