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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.04.2024

+ CRL.M.C. 3504/2021

JASKARAN SINGH GAMBHIR & ORS.

..... Petitioners

Through: Mr. Ishwar Singh, Mr. Anukul
Adhana and Ms. Mansa Agnihotri,
Advts. with petitioner no. 1 in person.

versus

STATE OF DELHI

..... Respondent

Through: Ms. Kiran Bairwa, APP for State with
SI Pradeep Kumar, PS Rajouri
Garden.
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)

CRL.M.A. 20864/2021

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 3504/2021

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. 0409/2019, under Sections 498A/406/34 IPC registered at P.S.: Rajouri Garden and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.



3. In brief, as per the case of the petitioners, marriage between petitioner no. 1 and respondent No. 2 was solemnized according to Sikh rites and ceremonies on 11.04.2010. A male 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 25.08.2019.

4. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 09.06.2020 and 12.03.2024. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce under Section 13 B(2) of the Hindu Marriage Act vide judgment dated 07.12.2020.

5. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

6. Petitioner No. 1 and Respondent No.2 have been identified by SI Pradeep Kumar, PS: Rajouri Garden, Delhi. Presence of Petitioner No. 2 to 4 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.

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. 0409/2019, under Sections 498A/406/34 IPC



registered at P.S.: Rajouri Garden 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 the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

APRIL 16, 2024/akc