



2024:DHC:5187



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.07.2024

+ CRL.M.C. 5311/2024

TARUN SHARMA & ANR

..... Petitioners

Through: Mr.Karan Bir Singh, Advocate with
petitioner No.1 in person.

versus

STATE OF NCT OF DELHI & ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP for State with
SI Kavish Rana, P.S. Laxmi Nagar.
Mr.Ishvinder Singh, Advocate 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 TANOOP KUMAR MENDIRATTA, J (ORAL)CRL.M.A. 20312/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5311/2024,

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. 0453/2017, under Sections 498A/406/34 IPC registered at P.S.: Shakarpur and proceedings emanating therefrom.
2. 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 20.07.2015. Two children were born out of the wedlock who



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are presently in custody of petitioner No.1. 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 22.08.2017.

3. The disputes are stated to have been amicably settled between parties vide Settlement Deed dated 28.09.2018. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 16.11.2018 by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.

4. Balance amount of Rs.34,000/- has been paid to respondent No.2 today through DD No.634937 dated 03.07.2024 drawn on Punjab National Bank, Burari Delhi (Central Delhi), Delhi Branch in favour of respondent No.2.

5. 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.

6. Petitioner No.1 and respondent No. 2 are present in person and have been identified by SI Kavish Rana, P.S.: Laxmi Nagar. Presence of petitioner No.2 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. Continuation of proceedings would be nothing but



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an abuse of the process of Court. Consequently, FIR No. 0453/2017, under Sections 498A/406/34 IPC registered at P.S.: Shakarpur and the 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.

JULY 15, 2024/v