



2024:DHC:5317



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.07.2024

+ CRL.M.C. 5426/2024

VIKRANT TOMAR AND OTHERS

..... Petitioners

Through: Mr. Sadiq Ali, Advocate with
Petitioners-in-person.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with SI
Suresh Kumar, PS: New Usmanpur.
Mr. Ashwani Kumar, Advocate for R-
2 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 T**ANOOP KUMAR MENDIRATTA, J (ORAL)****CRL.M.A. 20774/2024**

For the reasons stated in the application, the delay of 37 days in
refiling the appeal is condoned.

Application stands disposed of.

CRL.M.C. 5426/2024

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. 0195/2021, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at PS: New Usmanpur and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with respondent No. 2 appear on advance notice and



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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 05.06.2015. A female child was born out of the wedlock, who is presently in 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 16.04.2021.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 28.11.2023. 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 22.11.2023.

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. Petitioners and respondent No. 2 are present in person and have been identified by SI Suresh Kumar, PS: New Usmanpur. 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. 0195/2021, under Sections 498A/406/34 IPC



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and Section 4 of Dowry Prohibition Act, registered at PS: New Usmanpur 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.

JULY 19, 2024/R