



2024:DHC:5678



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* IN THE HIGH COURT OF DELHI AT NEW DELHI
% Date of Decision: 01.08.2024

+ CRL.M.C. 5914/2024

JABBAR & ORS.

.....Petitioners

Through: Mr. Aman Batra, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Sandeep Kumar, PS: Alipur.Mr. Aman Saini, Adv. for R-2 with
Respondent No. 2**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. 22606/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5914/2024

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. 0643/2015, under Sections 498A/406/34 IPC, registered at PS: Alipur and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 along with respondent No. 2 in person 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 Muslim rites and ceremonies on 21.02.2010. Two children were born out of the wedlock. Due



2024:DHC:5678



to matrimonial differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 20.07.2015.

4. The disputes have been amicably settled between the parties in terms of MoU dated 03.02.2020 and parties are stated to be residing together.

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 Sandeep Kumar, PS: Alipur. 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. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 0643/2015, under Sections 498A/406/34 IPC, registered at PS: Alipur 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.

AUGUST 01, 2024/R