



2024:DHC:5910



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 08.08.2024

+ CRL.M.C. 6135/2024
SOMNATH PAL

.....Petitioner

Through: Mr. Deepak Sharma and Mr. Badal
Katariya, Advs. with Petitioner in
person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Mandeep, PS Saket.
Mr. Vinay Kumar, Advocate
alongwith 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. 23437/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 6135/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner for quashing of FIR No. 300/2021, under Sections 498A/406/34 IPC, registered at PS: Saket and proceedings emanating therefrom. Chargesheet has been filed under Section 498A IPC.

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 and respondent No. 2 was solemnized according to Hindu rites and ceremonies on 31.12.2018. No child was born out of the wedlock. Due to matrimonial differences, petitioner and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 20.10.2021.

4. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 13.04.2022. The marriage between petitioner 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 13.09.2023.

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. Petitioner and respondent No. 2 are present in person and have been identified by SI Mandeep, PS: Saket. 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



2024:DHC:5910



between the parties. Consequently, FIR No. 300/2021, under Sections 498A/406/34 IPC, registered at PS: Saket 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 8, 2024

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