



2024:DHC:5917



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 08.08.2024

+ CRL.M.C. 6161/2024

GAURAV JAIN & ORS.

.....Petitioners

Through: Ms.Rachna Maheshwari& Mr.Gaurav,
Advocates with Petitioners in-person.

versus

STATE OF (NCT) OF DELHI & ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Saroj Bala, PS: Prashant
Vihar.Mr. Harsh Bahl, Adv. 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 TANOOP KUMAR MENDIRATTA, J (ORAL)

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners quashing of FIR No. 0089/2023, under Sections 498A/406/34 IPC, registered at PS: Prashant Vihar 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 Hindu rites and ceremonies on 01.02.2013. No child was born out of the wedlock. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living



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separately. On complaint of respondent No. 2, present FIR was registered on 18.02.2023.

4. The disputes have been amicably settled between the parties in terms of Settlement Deed dated 09.02.2024. The marriage between petitioner No. 1 and respondent No. 2 is stated to have been dissolved by decree of divorce by way of mutual consent under Section 13B(2) of the Hindu Marriage Act, vide judgment dated 06.06.2024, though the copy of the same has not been filed on record.

5. An amount of Rs. 9,00,000/- has been paid to respondent No. 2 today through Cheque No. 014556 dated 07.08.2024 drawn on HDFC Bank, in favour of respondent No. 2.

6. 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.

7. Petitioners and Respondent No. 2 are present in person and have been identified by SI Saroj Bala, PS: Prashant Vihar. 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.

8. 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. 0089/2023, under Sections 498A/406/34 IPC, registered at PS: Prashant Vihar and proceedings



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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 08, 2024/R