



2024:DHC:6017



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 12.08.2024

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CRL.M.C. 6220/2024

UMESH ALIAS SONU & ORS.

.....Petitioners

Through: Mr. Sanjay Dutt, Adv.

versus

THE STATE GOVT OF NCT DELHI & ANR.Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Chitra, PS South Rohini.Mr. Abhinav Chauhan and Gautam,
Advts. for R-2 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. 23768/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 6220/2024 AND CRL.M.A. 23767/2024

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. 385/2006, under Sections 498A/406 IPC, registered at PS: Rohini 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 11.03.2002. Six children were born out of the wedlock. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living separately since 2004. On complaint of respondent No. 2, present FIR was registered on 27.04.2006.

4. The disputes are stated to have been mutually resolved between the parties and petitioner No. 1 and respondent No. 2 are residing together since 2012.

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 Chitra, PS South Rohini. Presence of petitioner no. 2 to 7 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. 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. 385/2006, under Sections 498A/406 IPC, registered at PS: Rohini and proceedings emanating therefrom stand quashed.



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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 12, 2024

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