



2024:DHC:6111



\$~78

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 14.08.2024

+ CRL.M.C. 6297/2024

SH RAJ KAMAL GUPTA & ORS.

.....Petitioners

Through: Mr. Aman Chawla, Ms. Kirtika Gupta,
Advocates with Petitioners-in-person
(except P-4).

versus

THE STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Satish Kumar, APP with ASI
Raghuraj Singh and SI Rajak Ahmed,
PS: Sangam Vihar.

Mr. Saurabh Gupta and Mr. Nitish
Gupta, Advs. for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

%

J U D G M E N T**ANOOP KUMAR MENDIRATTA, J (ORAL)****CRL.M.A. 24108/2024 & 24109/2024**

Exemptions allowed, subject to just exceptions.

Applications stand disposed of.

CRL.M.C. 6297/2024

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. 0118/2021, under Sections 498A/406/34 IPC, registered at PS: Sangam 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 05.12.2014. No child was born out of the wedlock. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 20.03.2021.

4. The disputes are stated to have been amicably settled between the parties. 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 03.07.2023.

5. Learned APP for the State submits that in view of amicable settlement between the parties, he has no objection in case the FIR in question is quashed.

6. Petitioners (except petitioner no. 4) and respondent No. 2 are present in person and have been identified by ASI Raghuraj Singh, PS: Sangam Vihar. Presence of petitioner no. 4 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



2024:DHC:6111



between the parties. Consequently, FIR No. 0118/2021, under Sections 498A/406/34 IPC, registered at PS: Sangam Vihar 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 14, 2024/R