



2024:DHC:7216



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.09.2024

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CRL.M.C. 6428/2024

MUKESH KUMAR NIMESH & ORS.

.....Petitioners

Through: Mr. R. P. S. Bhatti, Adv.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Yashpal Singh, PS Farsh
Bazar.

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. 24575/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 6428/2024

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.285/2016 under Sections 498A/406/34 IPC registered at P.S.: Farsh Bazar and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 (through VC) 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



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No.1 and respondent No. 2 was solemnized according to Hindu Rites and ceremonies on 18.01.2013. 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 01.07.2016.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 05.04.2017. 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 but the copy of the judgment has not been filed on record and it has been stated by the parties that the same is unavailable.

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 Yashpal Singh, PS: Farsh Bazar. 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.285/2016 under Sections 498A/406/34 IPC registered at P.S.: Farsh Bazar and proceedings emanating



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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.

SEPTEMBER 19, 2024

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