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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 29.08.2024

+ CRL.M.C. 6727/2024

VIKAS KOHLI & ORS.

.....Petitioners

Through: Mr. Osama Suhai, Mr. Sameer Ail and
Mr. Emad, Advs.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Shivani, PS Bharat Nagar and
ASI Sushma Chauhan.Mr. Surinder Singh and Ms. Manpreet
Kaur, Advs. For Respondent no.2

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. 25691/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 6727/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioners for quashing of FIR No.582/2020 under Sections 498A/406/34 IPC registered at P.S.: Bharat Nagar and proceedings emanating therefrom.

2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith 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 19.04.2017. A female child was born out of the said 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 19.10.2022.

4. The disputes have been amicably settled between the parties in terms of terms of Memorandum of Understanding dated 09.04.2024. The marriage between the parties has been dissolved by mutual consent under Section 13-B(2) of the Hindu Marriage Act, vide decree dated 20.07.2024.

5. An amount of Rs. 22,00,000/- (Rupees Twenty Two Lakh Only) has been paid to respondent No.2 today through DD No.515492 dated 19.08.2024 drawn on ICICI Bank, in favour of respondent No.2 towards full and final settlement between the parties.

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

7. Petitioner No. 1, 5 & 6 alongwith Petitioner No. 2 to 4 and 7 (through VC) and Respondent No. 2 have been identified by SI Shivani, PS Bharat Nagar. 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



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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.582/2020 under Sections 498A/406/34 IPC registered at P.S.: Bharat Nagar 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 29, 2024

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