



2024:DHC:6701



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 03.09.2024

+ CRL.M.C. 6914/2024

AMAN AND OTHERS

.....Petitioners

Through: Mr. Pankaj Kumar, Advocate with
petitioners in-person (except petitioner
No. 5).

versus

THE STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State with SI Suresh Kumar, PS: New
Usmanpur with 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)**

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No. 0910/2022, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at P.S.: New Usmanpur and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State 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 25.11.2020. A female 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 14.10.2022.



2024:DHC:6701



4. The disputes are stated to have been amicably settled between the parties and petitioner No. 1 and respondent No. 2 are stated to be residing together since June, 2023.

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 (except petitioner No. 5) and respondent No. 2 are present in person and have been identified by SI Suresh Kumar, PS: New Usmanpur. Presence of petitioner No. 5 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. 0910/2022, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at P.S.: New Usmanpur 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

SEPTEMBER 03, 2024/R