



2024:DHC:6755



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 04.09.2024

+ CRL.M.C. 6963/2024

GAUTAM ARYA & ORS

.....Petitioners

Through: Mr.Amit Kumar, Mr.C.P.Singh and
Mr.Anil Kr. Ranga, Advocates with
petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms.Manjeet Arya, APP for State with
ASI Mursalin Khan, P.S. DIU/SHO
and SI Komal Nigam, P.S. Jagat Puri.
Mr.Manjeet Singh, Advocate with
respondent No.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 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No.0596/2021, under Sections 498A/406/34 IPC registered at P.S.: Jagat Puri 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 08.03.2019. No child was born out of the wedlock. Due to



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matrimonial differences, petitioner No.1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 02.12.2021.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 01.05.2023 arrived at Mediation Centre, Karkardooma Courts, Delhi. 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 31.10.2023.

5. An amount of Rs.4,00,000/- has been paid to respondent No. 2 today through DD No.385382 dated 03.09.2024 drawn on Punjab National Bank, Kanjhawala, Delhi in favour of respondent No. 2.

6. 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.

7. Petitioners and respondent No. 2 are present in person and have been identified by SI Komal Nigam, PS: Jagat Puri. 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 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.596/2021, under Sections



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498A/406/34 IPC registered at P.S.: Jagat Puri 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 04, 2024/v