



2024:DHC:6797



\$~66

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 05.09.2024

+ CRL.M.C. 6968/2024

SH. AMIT KUMAR & ORS.

.....Petitioners

Through: Mr. Praveen, Ms. Renu, Mr. Gagan
and Mr. Suraj, Advocates with
petitioners-in-person.

versus

THE STATE OF NCT DELHI & ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Vinod Kapoor, PS: Sagar Pur
with R-2-in-person.

CORAM:**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

%

ORDER**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. 0570/2022, under Sections 498A/406/34 IPC, registered at PS: Sagar Pur 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 09.12.2020. No child was born out of the wedlock. Due to matrimonial differences, petitioner No. 1 and respondent No. 2 started living



2024:DHC:6797



separately. On complaint of respondent No. 2, present FIR was registered on 16.08.2022.

4. The disputes are stated to have been initially settled between the parties in terms of Settlement Deed dated 13.01.2023. 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 13.05.2024.

5. Respondent No. 2, who is present in person along with her counsel, submits that she has no further grievance in this regard and has no objection to quashing of FIR in terms of settlement between the parties.

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 Vinod Kapoor, PS: Sagar Pur. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion.

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. 0570/2022, under Sections 498A/406/34 IPC, registered at PS: Sagar Pur and proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.



2024:DHC:6797



A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J
SEPTEMBER 05, 2024/R