



2024:DHC:6852



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 06.09.2024

+ CRL.M.C. 7052/2024

AMIT KUMAR & ORS.

.....Petitioners

Through: Mr. Abhishek Rana, Mr. Ajay Singh
and Mr. Bhavnish Gola, Advs.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Ajit Krishna, PS Gokulpuri.
Ms. Kalpana, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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ORDER**ANOOP KUMAR MENDIRATTA, J (ORAL)**

1. Writ 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. 544/2015, under Sections 498A/406/34 IPC, registered at P.S.: Gokulpuri and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and 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



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ceremonies on 18.01.2014. 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 08.07.2015.

4. The disputes are stated to have been amicably settled in terms of Settlement dated 01.03.2024 arrived before Principal Judge, Family Court Karkardooma Courts, North-East, Delhi between the parties and petitioner No. 1 and respondent No. 2 are stated to be residing together.

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 Suresh Kumar, PS: New Usmanpur. 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. 544/2015, under Sections 498A/406/34 IPC, registered at P.S.: Gokulpuri and proceedings emanating therefrom stand quashed.

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



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stand disposed of.

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

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 6, 2024

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