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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 11.03.2024

+ CRL.M.C. 244/2024

PRITHVI RAJ SINGH & ORS.

..... Petitioners

Through: Mr. Chandra Shekhar and Mr.
Prashant Shekhar, Advs.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State.
Mr. Shekhar G Devasa, Mr. Manish
Tiwari and Ms. Thashmitha Muthanna,
Advs. for R-2 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 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0233/2023 dated 09.08.2023 under Sections 498A/406/34 IPC registered at P.S.: Safdarjung Enclave, Distt. South, Delhi and the 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 02.05.2014. Due to temperamental differences between the parties, petitioner no. 1 and respondent No. 2 started living separately since 23.11.2016. A daughter was born out of the wedlock on 24.07.2017. On complaint of respondent No. 2, present FIR was registered on 09.08.2023.

4. The disputes between the parties are stated to have been amicably resolved between the parties, in terms of Settlement Deed dated 08.11.2023. 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 15.02.2024.

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

6. Petitioner no. 1 to 4 and respondent No. 2 (in person) and petitioner no. 5 (through VC) have been identified by their respective counsels. 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.

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. Consequently, FIR No. 0233/2023 dated 09.08.2023 under Sections 498A/406/34 IPC registered at P.S.: Safdarjung Enclave, Distt. South, Delhi and the proceedings emanating therefrom stand quashed.



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

ANOOP KUMAR MENDIRATTA, J.

MARCH 11, 2024/akc