



2024:DHC:6848



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 06.09.2024

+ W.P.(CRL) 2746/2024

HIMANSHU KHATTER AND ORS.Petitioners

Through: Mr. J. C. Mahindra, Advocate with
petitioners-in-person.

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Anand V. Khatr, ASC with SI
Saroj, PS: Prashant Vihar.
Mr. Reuben Samson, Advocate for R-
2 with R-2-in-person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

% ORDERANOOP KUMAR MENDIRATTA, J (ORAL)

1. Writ petition under Article 226 of the Constitution of India read with 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. 0652/2021, under Sections 498A/406/34 IPC, registered at PS: Prashant Vihar, Delhi and proceedings emanating therefrom.
2. Issue notice. Learned ASC 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 08.12.2019. 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 01.12.2021.

4. The disputes are stated to have been initially settled between the parties in terms of statement of petitioner No. 1 and respondent No. 2 in petition under Section 13B(1) of HMA dated 01.06.2024. 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 30.07.2024.

5. Learned ASC for the State submits that in view of amicable settlement between the parties, he 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 Saroj, PS: Prashant Vihar. 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.

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. No. 0652/2021, under Sections 498A/406/34 IPC, registered at PS: Prashant Vihar, Delhi and proceedings emanating therefrom stand quashed.

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



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

ANOOP KUMAR MENDIRATTA, J
SEPTEMBER 06, 2024/R