



\$~31

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 14.02.2024

+ CRL.M.C. 277/2024, CRL.M.A. 1102/2024

ANUPAM SINGH GAUTAM & ORS.

..... Petitioners

Through: Mr. Rohan Dewan, Mr. Shiva
Krishnamurti, Ms. Vishwaditya
Sharma, Advocates with Petitioner
No.1 in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with ASI
Satish Kumar, PS: Farsh Bazar.
Mr. Dushyant Chaudhary, Mr. D.V.
Singh, Ms. Poonam Sharma, Mr.
Akash Gautam and Mohd. Juned
Malik Advocates for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

%

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. 0705/2021, under Sections 498A/406/34 IPC, P.S.: Farsh Bazar, Delhi and the proceedings emanating therefrom. Section 354 IPC is stated to have been subsequently invoked.
2. 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 15.12.2019. No child was born out of the said wedlock. Due



to temperamental differences between the parties, petitioner No.1 and respondent No.2 started living separately since 09.06.2021. On complaint of respondent No.2, present FIR was registered on 22.10.2021, apart from other litigations, which were initiated on behalf of respondent No.2.

3. The matter is stated to have been amicably resolved between the parties vide Settlement Agreement dated 12.06.2023 arrived at Delhi 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 decree dated 10.11.2023. An amount of Rs.3,00,000/- out of total settlement amount of Rs.12,00,000/- has been paid today to respondent No. 2 through DD No.787568 dated 11.01.2024 drawn on State Bank of India, Patel Dham Manas Marg, Ghaziabad Branch, in favour of respondent No. 2.

4. 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.

5. Petitioner no. 1 as well as respondent No. 2 are present in person and have been identified by ASI Satish Kumar, PS: Farsh Bazar, Delhi. Petitioner nos. 2, 3, 4 & 8 have appeared through video-conferencing. The presence of petitioner no. 5, 6 & 7 is exempted. 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.

6. 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. 0705/2021, under Sections 498A/406/354/34 IPC registered at P.S.: Farsh Bazar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending application, if any, also stands disposed of.

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

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 14, 2024/akc