



2024:DHG:710



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 31.01.2024

+ CRL.M.C. 352/2024

HARISH SINGH BHANDARI AND ORS. Petitioners

Through: Mr. Rajesh Tiwari, Advs. alongwith
petitioners in person.

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for State
alongwith SI Ashok Kumar, P.S.
Saket.Mr. Rohit Manon and Mr. Mohit
Singhal, Advs. for R-2 alongwith 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)****CRL.M.C. 352/2024**

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. 354/2021 under Sections 498A/406 IPC registered at P.S. : Saket, South Delhi and 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 petitioner, marriage between petitioner No. 1 and respondent No. 2 was solemnized according to Hindu rites and



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ceremonies on 23.02.2017. Due to temperamental differences, respondent No. 2 and petitioner No. 1 have been living separately. On complaint of respondent No. 2, present FIR was registered on 07.12.2021.

4. The matter is stated to have been amicably resolved between the parties in terms of Memorandum of Settlement dated 21.08.2023. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by way of mutual consent under Section 13B(2) of the Hindu Marriage Act as per decree of divorce dated 10.11.2023.

5. A balance amount of Rs. 5,00,000/- has been paid to respondent No. 2 today through DD No.020753 dated 15.01.2024 drawn on HDFC Bank, Global Business Park Branch, Gurgaon in favour of respondent No. 2 towards full and final settlement between the parties.

6. 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.

7. Petitioners as well as respondent No. 2 are present in-person in the Court today and have been identified by SI Ashok Kumar, PS: Saket, South Delhi. 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.

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. Consequently, FIR No. 354/2021 under Sections 498A/406 IPC



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registered at P.S. : Saket, South Delhi and 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.

JANUARY 31, 2024/ssc