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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.02.2024

+ CRL.M.C. 426/2024

DINESH KUMAR & ORS.

..... Petitioners

Through: Mr.Puneet Dhawan, Advocate
alongwith petitioners in person.

versus

THE STATE (GNCT OF DELHI)

THROUGH SHO, P.S. KALKAJI & ANR. Respondents

Through: Ms. Kiran Bairwa, APP for the State
with WSI Purvi Ahlawat, PS Tilak
Nagar.Mr.Gaurav Tripathi, Advocate
alongwith respondent No.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.A. 1688/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 426/2024

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. 13/2010, under Sections 498A/406/34 IPC registered at P.S.: Tilak Nagar and proceedings emanating therefrom.



2. Proceedings against petitioners No.11 and 12 stand abated, since they have expired.
3. 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.
4. 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 28.07.2007. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately since 06.09.2009. Present FIR was lodged on the complaint of respondent No. 2 on 22.01.2010.
5. The matter has been amicably resolved between the parties vide Settlement Agreement dated 21.04.2023 arrived at Mediation Centre, Tis Hazari Courts, New 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 judgment dated 19.09.2023.
6. Balance amount of Rs. 50,000/- has been paid today to respondent No. 2 through DD No.444264 dated 16.01.2024 drawn on Central Bank of India in favour of respondent No. 2 towards full and final settlement between the parties.
7. 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.
8. Petitioners as well as respondent No. 2 in person and Petitioner No.7,



Gulshan through VC; have been identified by W/SI Purvi Ahlawat, PS: Tilak Nagar. 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.

9. 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. 13/2010, under Sections 498A/406/34 IPC registered at P.S.: Tilak Nagar 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 learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 21, 2024/v