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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 10.09.2024

+ CRL.M.C. 7145/2024

PRATEEK AGGARWAL & ORS.

.....Petitioners

Through: Mr. Abhimanyu Kumar, Adv.
alongwith petitioners in person.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Ms. Manjeet Arya, APP for the State
with SI Shivali and ASI Sarla, PS
Keshav Puram.
Mr. Chetanya Puri, Adv. for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

% **ORDER**

ANOOP KUMAR MENDIRATTA, J (ORAL)

CRL.M.A. 27280/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 7145/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), has been preferred on behalf of the petitioners for quashing of FIR No. 603/2014, under Sections 498A/406/34 IPC, registered at PS: Keshav Puram 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 petitioners, marriage between petitioner no. 1 and respondent No. 2 was solemnized according to Hindu Rites and ceremonies on 01.12.2009. A male child was born out of the wedlock who is presently in custody of petitioner no. 1. Due to matrimonial differences, petitioner no. 1 and respondent No. 2 started living separately. On complaint of respondent No. 2, present FIR was registered on 17.09.2014.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 15.01.2024. 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 03.06.2024.

5. An amount of Rs.3,00,000/- has been paid to respondent No. 2 today through DD No.812933 dated 24.05.2024 renewed on 26.08.2024 drawn on ICICI Bank, in favour of respondent No. 2 which is subject to clearance.

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

7. Petitioners and respondent No. 2 are present in person and have been identified by SI Shivali, PS: Keshav Puram. 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. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently FIR No. 603/2014, under Sections 498A/406/34 IPC, registered at PS: Keshav Puram and proceedings emanating therefrom stand quashed.

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

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

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 10, 2024

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