



2024:DHC:7192



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.09.2024

+ CRL.M.C. 7215/2024

MOHIT DABAS & ORS

.....Petitioners

Through: Ms.Reena Rathi, Advocate with
petitioner No.1 and 2 in person and
petitioner No.3 and 4 through VC.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms.Manjeet Arya, APP for State with
SI Deshraj, P.S. Baba Haridas Nagar.
Mr.Raj Singh, Advocate with
respondent No.2 through VC.

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)**

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.0348/2023, under Sections 498A/406/34 IPC registered at P.S.: Baba Haridas Nagar and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 along with respondent No. 2 through VC 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 02.03.2022. 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 03.08.2023.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 29.04.2024 arrived at Counselling Cell, Family Courts, North -West District, Rohini 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 judgment dated 23.07.2024.

5. An amount of Rs.5,00,000/- through DD No.613113 dated 09.09.2024 drawn on Punjab National Bank, Garhi Rindhala, Delhi in favour of respondent No. 2 has been handed over to brother of respondent No. 2 as per her instructions through VC today.

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. Petitioner No.1 and 2 in person and respondent No. 2 (through VC) have been identified by SI Desh Raj, PS: Baba Haridas Nagar. Presence of petitioner No. 3 and 4 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.

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



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Court. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No.0348/2023, under Sections 498A/406/34 IPC registered at P.S.: Baba Haridas Nagar 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 19, 2024/v