



2024:DHC:7338



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 23.09.2024

+ W.P.(CRL) 2845/2024

VISHAL NEHRA & ORS

.....Petitioners

Through: Mr.Navjot Kumar and Ms. Rashmi
Sharma, Advocates with petitioners in
person.

versus

THE STATE, GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr.Yasir Rauf Ansari, ASC (Crl.) for
State with Mr.Alok Sharma and
Mr.Vasu Agarwal, Advocates
alongwith SI Shajid Hussain, PS
Malviya Nagar.
Mr.Karan Khanna and Ms. Reva Soni,
Advocates with respondent No.2 in
person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N TANOOP KUMAR MENDIRATTA, J (ORAL)CRL.M.A. 27670/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 2845/2024

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioners for quashing of FIR No.0612/2022,



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under Sections 498A/406/34 IPC registered at P.S.: Malviya Nagar and proceedings emanating therefrom.

2. Issue notice. Learned ASC for the State and learned counsel for respondent No.2 along with 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 09.03.2015. No child was born out of the wedlock. 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 16.10.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 24.01.2024. Petition under Section 13B(2) of Hindu Marriage Act for second motion of divorce by way of mutual consent, is stated to be listed for 25.09.2024 before the learned Family Judge, District Ghaziabad, U.P.

5. Respondent No.2 who is present in person, confirms the same and submits that disputes have been amicably settled between the parties and an amount of Rs.6,25,000/- is to be received at the stage of second motion of divorce. She further submits that she has no objection in case the FIR in question is quashed.

6. Learned ASC for the State submits that in view of amicable settlement between the parties, he 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 Shajid Hussain, PS: Malviya Nagar. I have interacted with



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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.0612/2022, under Sections 498A/406/34 IPC registered at P.S.: Malviya Nagar and proceedings emanating therefrom stand quashed, subject to compliance of the terms and conditions of Settlement Deed dated 24.01.2024 by the respective parties.

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 23, 2024/v