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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 7318/2024**

SH NIKHIL CHOUDHARY AND OTHERSPetitioners

Through: **Mr. Vikaas Chauhan, Advocate**

versus

STATE (NCT OF DELHI) AND OTHERSRespondents

Through: **Mr. Nawal Kishore Jha, APP for State**
with SI Sandeep Kumar, PS
Ambedkar Nagar
Mr. Vikram Gola, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.12.2024

CRL.M.A. 37853/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL. M.A. 37852/2024 (under Section 528 BNSS 2023 filed on behalf of respondent no. 2 for correction/modification /deletion in the order dated 13.09.2024)

3. This is an application seeking correction of typographical error in order dated 13.09.2024.
4. Learned counsel appearing on behalf of the petitioner as well as learned counsel appearing for the respondent no. 2/complainant submit that *vide* order dated 13.09.2024, the FIR No. 230/2023 under Section 498A/406/34 IPC registered at Police Station Ambedkar Nagar, New Delhi was quashed.
5. However, in paragraph 4 of the said order, it has been wrongly recorded



that there is a child born out of the wedlock of the petitioner as well as respondent no. 2, whose custody has been handed over to the respondent no.

2. It is jointly submitted by the learned counsel for the parties that there is no child born out of the wedlock.

6. It is also submitted that it was clearly stated in the very first paragraph of the petition that no issue was born out of the wedlock of the petitioner and respondent no. 2, which reads as under:

1. That the marriage between the Petitioner and respondent No. 2 was solemnized on 18.7.2021 at Delhi according to Hindu customs and rituals. However no issued has been born from the said wedlock.

7. Accordingly, a prayer is made to correct the typographical error in para 4 of the order dated 13.09.2024.

8. In view of the above, the application is allowed. Accordingly, para 4 of the order dated 13.09.2024 is corrected to read as under:

4. Respondent No.2/Complainant has filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. Respondent No.2 states that she has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.

9. With the aforesaid correction, the application stands disposed of.

VIKAS MAHAJAN, J

DECEMBER 16, 2024

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