



2024:DHC:7120



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 17.09.2024

+ CRL.M.C. 7358/2024

ANKUR & ORS

.....Petitioners

Through: Mr.Kamal Singh, Advocates with
petitioner No.1 to 3 and 5 in person
and petitioner No.4 through VC.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms.Meenakshi Dahiya, APP for State
with SI/IO Pradeep Kumar, P.S.
Ghazipur East.
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. 28056/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 7358/2024

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.0466/2016, under Sections 498A/406/34 IPC registered at P.S.: Ghazipur and proceedings emanating therefrom. Chargesheet has been filed under Sections 498A/406/506/34 IPC.
2. Issue notice. Learned APP for the State along with respondent No. 2 in



2024:DHC:7120



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 16.02.2010. 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 10.11.2016.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 02.03.2022 arrived at Mediation Centre, Karkardooma 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 02.03.2023.

5. An amount of Rs.75,000/- has been paid to respondent No. 2 today through DD No.267916 dated 29.07.2024 drawn on Punjab National Bank, Gurgapuri Chowk, Shahdara, Delhi in favour of respondent No. 2.

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. All petitioners except petitioner 4 (through VC) and respondent No. 2 are present in person and have been identified by SI Pradeep Kumar, PS: Ghazipur. 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.



2024:DHC:7120



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.0466/2016, under Sections 498A/406/506/34 IPC registered at P.S.: Ghazipur 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 17, 2024/v