



2024:DHC:7135



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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 18.09.2024

+ CRL.M.C. 7379/2024

AJIT KUMAR &amp; ORS.

.....Petitioners

Through: Ms.Sunaina Valecha, Mr.Jayant Tewari, Ms.Supriya Harsha, Ms.Mehroon Nisha, Ms.Pooja Rani and Mr.Anshum Verma, Advocates with petitioner No.1, 2 5 and 6 in person and petitioner No.3, 4 and 7 through VC.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms.Manjeet Arya, APP for State with SI Satyaveer Singh & ASI Naresh, P.S. Dabri.  
Mr.Vikram Kumar and Mr.Prashant Kumar, 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 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.1025/2022, under Sections 498A/406/34 IPC registered at P.S.: Dabri and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 along with respondent No. 2 in person appear on advance



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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 14.05.2021. 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 21.11.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 10.05.2024 arrived at Counselling Cell, Family Courts, West-District, Dwarka 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 10.05.2024.

5. Balance amount of Rs.3,00,000/- has been paid to respondent No. 2 today through DD No.755946 dated 02.04.2024 drawn on Canara Bank, Industrial Area, Sahibabad 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. Petitioner No.1, 2, 5 and 6 and respondent No. 2 are present in person and petitioner No. 3, 4 and 7 have joined through VC. Petitioners and respondent No. 2 have been identified by SI Satyaveer Singh, PS: Dabri. 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



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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.1025/2022, under Sections 498A/406/34 IPC registered at P.S.: Dabri 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 18, 2024/v**