



2024:DHC:7376



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 24.09.2024

+ CRL.M.C. 7563/2024

SOURABH SHARMA & ORS

.....Petitioners

Through: Mr.Sarthak Gupta, Mr.Prashant
Sharma, Ms.Atti Tyagi and
Mr.Dayanand Sharma, Advocates
with petitioners in person.

versus

STATE NCT OF DELHI & ANR

.....Respondents

Through: Ms.Manjeet Arya, APP for State with
SI Anil Kumar and WSI Preti Saini,
P.S. Kanjhawla.
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)****CRL.M.A. 28866/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 7563/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of petitioners for quashing of FIR No.238/2022, under Sections 498A/406/34 IPC registered at P.S.: Kanjhawala and proceedings emanating therefrom. Chargesheet has been filed under Sections 498A/406/34/506 IPC.



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2. Issue notice. Learned ASC for the State and 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 04.06.2017. 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 09.03.2022.
4. The disputes are stated to have been amicably settled between the parties in terms of MoU dated 09.03.2023. 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 04.10.2023.
5. Learned ASC 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.
6. Petitioners and respondent No. 2 are present in person and have been identified by SI Anil Kumar, PS: Kanjhawla. 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.
7. 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.238/2022, under Sections 498A/406/506/34 IPC registered at P.S.: Kanjhawala 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 24, 2024/v