



2024:DHC:7846



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 09.10.2024

+ CRL.M.C. 8044/2024

SANDEEP KUMAR GAUTAM & ORS.

.....Petitioners

Through: Mr. Virender Singh and Ms. Renu
Pradhan Singh, Advs. alongwith
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satinder Singh, APP for the State
with SI Rambir Singh, PS Mandawali
Fazalpur.
Ms. Sakshi Arora, Adv. for R-2
alongwith R-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. 30739-40/2024**

Exemptions allowed, subject to just exceptions.

Applications stand disposed of.

CRL.M.C. 8044/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioners for quashing of FIR No. 354/2020, under Sections 498A/406/34 IPC registered at PS: Mandawali Fazalpur 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 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 in 16.01.2019. 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 23.08.2020.
4. The disputes are stated to have been amicably settled between the parties in terms of MoU dated 12.03.2024. 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 19.07.2024.
5. An amount of Rs. 1,00,000/- has been paid to respondent No. 2 today through DD No. 968906 dated 08.10.2024 drawn on State Bank of India, in favour of respondent No. 2.
6. Learned APP 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 Rambir Singh, P.S.: Mandawali Fazalpur. 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.
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



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Court. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 354/2020, under Sections 498A/406/34 IPC registered at PS: Mandawali Fazalpur and proceedings emanating therefrom are quashed.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

OCTOBER 9, 2024

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