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

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Date of Decision: 10.04.2024

+ CRL. M.C. 2263/2024

**HARISH CHAND ALIAS HARISH KUMAR MISHRA
AND ORS.**

..... Petitioners

Through: Mr.Basant Kumar Singh and
Mr.Baldeo Sharma, Advocates
alongwith petitioner No.1 in person.

versus

THE STATE(GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Ms.Meenakshi Dahiya, APP with SI
Sandeep Chauhan, PS Prem Nagar.
Mr.Harsh Sharma, Ms.Damini
Rathore and Mr.Anurag Gautam,
Advocates alongwith respondent No.2
(through VC).

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. 501/2019, under Sections 498A/406/34 IPC registered at P.S.: Prem Nagar and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No.2 (through VC) 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 11.05.2006. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. Present FIR was registered on the complaint of respondent No. 2, on 13.09.2019.
4. The disputes are stated have been amicably settled between the parties vide Settlement Deed dated 10.03.2022. 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 03.04.2023.
5. Since, both respondent No. 2 as well as her counsel have joined through VC, petitioners / counsel undertake to subsequently hand over DD No. 016726 dated 09.04.2024 drawn on HDFC Bank, Dwarka Sector 11, New Delhi Branch amounting to Rs.75,000/- to respondent No. 2 against receipt, as prayed by respondent No. 2.
6. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.
7. Petitioner No.1 in person, petitioner No.2 and 3 (through VC) and respondent No. 2 (through VC) have been identified by SI Sandeep Chauhan, P.S.: Prem Nagar. 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.



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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. Consequently, FIR No. 501/2019, under Sections 498A/406/34 IPC registered at P.S.: Prem Nagar and the proceedings emanating therefrom stand quashed.

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

ANOOP KUMAR MENDIRATTA, J.

APRIL 10, 2024/v