



2024:DHC:9712



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.10.2024

+ CRL.M.C. 8243/2024

HARVINDER SINGH & ORS.

.....Petitioners

Through: Mr.Hansleen Singh Sodhi, Advocates
with petitioner No.1 & 2 in person.

versus

STATE GOVT OF NCT DELHI & ANR.

.....Respondents

Through: Mr.Satinder Singh Bawa, APP for
State with W/SI Purvi, P.S. Tilak
Nagar.
Mr.Surjeet Singh, Advocate 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)****CRL.M.A. 31510/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of

CRL.M.C. 8243/2024

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.0497/2022, under Sections 498A/406/34 IPC registered at P.S.: Tilak Nagar and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for

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respondent No. 2 alongwith 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 Sikh Rites and ceremonies on 07.07.2019. 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 05.07.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement recorded before learned Additional Sessions Judge-03 (West), Tis Hazari Courts, Delhi vide order dated 11.07.2023 in CA No.67/2023. 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 05.07.2024.

5. An amount of Rs.1,50,000/- has been handed over to respondent No. 2 today through DD No. 020485 dated 19.10.2024 drawn on Axis Bank Ltd., Geeta Colony, New Delhi 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. Petitioner No.1 and 2 and respondent No. 2 present in person, have been identified by W/SI Purvi PS: Tilak Nagar. Presence of petitioner No.3 and 4 is exempted. 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



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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 Court. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No.0497/2022, under Sections 498A/406/34 IPC registered at P.S.: Tilak Nagar 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

OCTOBER 21, 2024/v