



2024:DHC:8209



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.10.2024

+ W.P.(CRL) 3260/2024

VIPUL BANSAL & ORS.

.....Petitioners

Through: Appearance not given.

versus

STATE THROUGH SHO VIJAY VIHAR & ANR.....Respondents

Through: Mr.Yasir Rauf Ansari, ASC for State
with SI Sourabh Malik, PS Vijay
Vihar.

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)****CRL.M.A. 31462/2024**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 3260/2024

1. Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No. 544/2022, under Sections 498A/406/34 IPC, registered at P.S.: Vijay Vihar, Delhi and proceedings emanating therefrom.

2. Issue notice. Learned APP 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 in 16.02.2021. 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 27.07.2022.

4. The disputes are stated to have been amicably settled between the parties in terms of Settlement dated 14.10.2024. Petition for first motion for dissolution of marriage by way of mutual consent under Section 13B(1) of the Hindu Marriage Act has been allowed vide order dated 07.10.2024.

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 Sourabh Malik, PS: Vijay Vihar. 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 Court. The chances of conviction are bleak in view of amicable settlement between the parties. Consequently, FIR No. 544/2022, under Sections 498A/406/34 IPC, registered at P.S.: Vijay Vihar, Delhi and proceedings emanating therefrom are quashed.

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

ANOOP KUMAR MENDIRATTA, J

OCTOBER 21, 2024/VLD