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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.05.2024

+ CRL. M.C. 3898/2024

SUMIT CHHIKARA & ORS.

..... Petitioners

Through: Mr.Siddharth Aggarwal and
Mr.Anurag Sharma, Advocates
alongwith petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR.

.... Respondents

Through: Ms.Kiran Bairwa, APP for State with
SI Tilak Raj, P.S. Ranhola.
Mr.Param Veer Singh, Mr.Phillip
Massey and Mr.Ashish Rana,
Advocates 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. 14893/2024**

Application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') read with Section 5 of Limitation Act has been preferred on behalf of the petitioner for condonation of delay of 30 days in re-filing the petition.

For the reasons stated in the application, delay in re-filing the petition is condoned.

Application is accordingly disposed of.

**CRL.M.C. 3898/2024**

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. 593/2020, under Sections 498A/406/34 IPC registered at P.S.: Ranhola and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No.2 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 31.05.2017. No child was born out of the wedlock. Due to temperamental differences, respondent No.2 and petitioner No.1 started living separately. On complaint of respondent No. 2 present FIR was registered on 20.05.2020.
4. The disputes are stated to have been amicably settled between the parties in terms of Settlement Deed dated 22.02.2022. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by decree of divorce dated 26.04.2023 by way of mutual consent under Section 13B(2) of the Hindu Marriage Act.
5. Learned APP 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 in person have been identified by SI Tilak Raj, P.S.: Ranhola. 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. Parties intend to put quietus to the proceedings arising out of matrimonial disputes. The settlement shall promote harmony between the parties and permit them to move further in life. The chances of conviction are bleak in view of amicable settlement between the parties.

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. 593/2020, under Sections 498A/406/34 IPC registered at P.S.: Ranhola and the proceedings emanating therefrom stand quashed.

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

A copy of this judgment be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

MAY 15, 2024/v