



\$~42

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 10149/2024 CRL.M.A. 38952/2024 CRL.M.A.**
38953/2024

NITESH & ORS.

.....Petitioner

Through: Mr. Bishan Kumar and Mr.
Mairazuddin, Advocates for petitioner
nos. 2-4.

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Sudhir Dahiya, PS: Aman Vihar.

Mr. Bharat Bhushan, Mr. Pulkit
Sangeet and Mr. Aakash Jain,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
23.12.2024

%

CRL.M.A. 38952/2024(Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C.-10149/2024

1. This petition has been filed seeking quashing of FIR No. 1097/2017 registered at P.S Aman Vihar, Delhi, under Sections 498A/406/34 IPC on the basis of settlement arrived at between the parties with the facilitation of Delhi Mediation Centre, Rohini Courts, dated 21st May 2024, which is on record of this Court.



2. Petitioner no.1 is present in Court, whereas petitioner no. 2-4 and respondent no. 2 are present through VC and are duly identified by IO and the respective counsel. and are identified by the IO.
3. As per the settlement, an outstanding balance of Rs. 2 lacs is being paid today *vide* DD no. 510440 drawn on ICICI Bank, dated 09th December 2024. The same has been handed over to counsel for respondent no.2 in Court. Respondent no.2 states that she has no objection to the quashing of the FIR.
4. Marriage of petitioner no.1 and respondent no. 2 has resulted in a divorce by decree dated 09th October 2024. No child was born out of wedlock.
5. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 1097/2017 under Sections 498A/406/34 IPC registered at PS Aman Vihar, Delhi and proceedings emanating therefrom are quashed.
6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 23, 2024/RK/tk