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

% Date of Decision: 04.03.2025

+ CRL.M.C. 1021/2025

KUNAL KUMAR GUPTA & ORS.

.....Petitioners

Through: Mr. Sanyam Rastogi, Mr. Laksh
Yadav and Ms. Vishi Aggarwal, Advs.
alongwith petitioners (through VC).

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State
with ASI Ravinder Tiwari and Insp.
Mantosh Kumar, PS: Shalimar Bagh.
Mr. Pulkit Gulati, Adv. for R-2
alongwith R-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. 4656/2025

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1021/2025

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No. 469/2023, under Sections 498A/406/34 IPC registered at P.S.: Shalimar Bagh and proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith R-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 09.02.2022. 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 08.08.2023.

4. The disputes are stated to have been amicably settled between the parties in terms of MoU dated 14.06.2024. The marriage between petitioner No. 1 and respondent No. 2 has been dissolved by way of mutual consent under Section 13B(2) of the Hindu Marriage Act vide decree dated 03.12.2024.

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 appear through VC and have been identified by ASI Ravinder Tiwari, PS: Shalimar Bagh. 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 (through VC) 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



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between the parties. Consequently, FIR No. 469/2023 under Sections 498A/406/34 IPC registered at P.S.: Shalimar Bagh 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.

MARCH 4, 2025

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