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

+ **CRL.M.C. 3343/2024**

HARJEET SINGH

.....Petitioner

Through: Mr. Ashish Bharani, Mr. R.K. Bharani, Ms. Ananya Purashar, Mr. Sandeep Kumar Chaudhary, Advocates.

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with SI Gagandeep, P.S.: Prashant Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

24.10.2024

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By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner and complainant/respondent No. 2, seek quashing of case FIR No. 0734/2013 dated 20.12.2013, registered under sections 406/498-A of the Indian Penal Code, 1860 ('IPC') at P.S.: Prashant Vihar, Delhi.

2. Notice on this petition was issued on 30.04.2024.
3. The petition is premised on Settlement Deed dated 11.10.2023 arrived at through mediation before the Counselling Cell, Maintenance Cases, Family Courts, Rohini.
4. The petition is supported by an affidavit of the petitioner, alongwith proof of IDs of both the parties.
5. The petitioner as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by their respective counsel.



6. The court has interacted with respondent No. 2 as well as with the petitioner. Although no divorce decree has been appended to the petition despite order dated 30.04.2024 directing the same to be brought on record, parties confirm that they have taken divorce. Respondent No. 2 also confirms that a settlement deed has been entered into between the parties; and that in full-and-final settlement of all her claims, including towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, *etc.*, she was to receive a sum of Rs. 6,00,000/- from petitioner No. 1; out of which Rs.4,00,000/- was paid earlier and Rs. 2,00,000 /- has to be paid today, in compliance of the terms of the settlement deed. The petitioner undertakes that he will remit the balance sum of Rs.2,00,000/- that is payable to respondent No. 2 within half-an-hour by electronic transfer. The petitioner's undertaking is taken on record; and respondent No. 2 shall be at liberty to mention the matter to the court if the remittance is not received within the next one hour.
7. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
9. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab &Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh &Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement



between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

10. Accordingly, case FIR No. 0734/2013 dated 20.12.2013 registered under sections 406/498-A IPC, at P.S.: Prashant Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 24, 2024

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