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

+ **CRL.M.C. 5110/2024**

SH JOHNSON GANI & ORS.

.....Petitioners

Through: Mr. Amit Gupta with Mr. Nikhil Gupta, Mr. Amit Kumar, Mr. Sukriti Pratap, Advocates and petitioners in-person.

versus

STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State with SI Sunit and ASI Satender, P.S.: Jagat Puri.

Mr. Ajay Raj Sharma with Mr. Aakash Passi and Ms. Gurpreet Kaur, Advocates for R2.

R2 *via* video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

06.08.2024

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By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2 seek quashing of case FIR No. 482/2021 dated 16.10.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jagat Puri, Delhi.

2. The petition is premised on Mediated Settlement dated 04.01.2024 arrived at through mediation before the Counselling Cell, Family Court, Tis Hazari Courts, Delhi; and Divorce Decree dated 26.02.2024, which is the culmination of petitions under sections 13B(1) and 13B(2)



of the Hindu Marriage Act 1955, whereby the parties had sought dissolution of their marriage by mutual consent.

3. The petition is also supported by affidavits of the petitioners as also of respondent No. 2, alongwith proofs of their I.D.s.
4. The petitioners are present in court and respondent No. 2 has joined *via* video-conferencing since she resides in Plymouth, United Kingdom. Their credentials have been verified and they have also been identified by the Investigating Officer.
5. The parties have confirmed that no child was born from the wed-lock.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has queried respondent No. 2/Ms. Sushmita Newton, who confirms that she has taken divorce by mutual consent; and that a mediated settlement 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.1,60,000/- from petitioner No. 1; out of which Rs. 1,30,000/- was paid earlier and Rs. 30,000/- has been received by her counsel in court today, in compliance of the terms of the mediated settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Ms. Shubhi Gupta, 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, FIR No. 482/2021 dated 16.10.2021 registered under sections 498-A/406/34 IPC at P.S.: Jagat Puri, 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

AUGUST 6, 2024
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