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

+ **CRL.M.C. 5114/2024**

GOVIND SINGH RAJPUT @ GAURAV & ORS.Petitioners

Through: **Mr. Sumit Kumar and Mr. Rohit Shukla, Advocates.**

versus

STATE NCT OF DELHI AND ANRRespondents

Through: **Mr. Utkarsh, APP for the State.**

PSI Neha, P.S. New Ashok Nagar.

Mr. Sanchit Sehgal and Mr. Nagendra Singh, Advocate for R-2/complainant.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **08.07.2024**

CRL.M.A. 19535/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

Crl. M.C. 5114/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the petitioners, who are the former husband of the complainant/respondent No. 2 and his other family members, seek quashing of case FIR No. 0411/2020 dated 19.09.2020 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: New Ashok Nagar, New Delhi.

2. The petition is premised on Settlement Deed dated 04.11.2023 arrived at through mediation before the Delhi Mediation Centre,



Karkardooma Courts, Delhi; and Divorce Decree dated 23.04.2024, 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 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.
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 Ms. Mamta @ Ruby, respondent No. 2, who confirms that she has taken divorce by mutual consent; and 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 (present, past and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., she was to receive a sum of Rs. 7,50,000/- from petitioner No. 1; out of which Rs.6,75,000/- was paid earlier and Rs. 75,000/- has been handed-over in court today by way of a demand draft, in compliance of the terms of the settlement deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Utkarsh, learned APP for the State 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. 0411/2020 dated 19.09.2020 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: New Ashok Nagar, New 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

JULY 8, 2024

V.Rawat