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

+ **CRL.M.C. 5248/2024**

ANURAG MODI AND ORS

.....Petitioners

Through: Mr. A. Alvi with Mr. S. Sachar,
Advocates and petitioners in-person.

versus

STATE (GNCTD) AND ANR

.....Respondents

Through: Mr. Manoj Pant, APP for the State
with SI Sunny Khatri, P.S.: Vijay
Vihar.

Mr. Himanshu Sharma and Ms. Arti
Sharma, Advocates for R2 with R2
in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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11.07.2024

CRL.M.A. 20042/2024

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 5248/2024

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. 503/2021 dated 02.10.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Vijay Vihar. Consequent upon completion of investigation, vide charge-sheet dated 24.02.2023, offences under section 354 IPC and section 4 of the Dowry Prohibition Act, 1961 were added.



2. The petition is premised on Memorandum of Understanding /Compromise dated 01.03.2024; and Divorce Decree dated 13.05.2024, 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 both the petitioners as also of respondent No. 2, alongwith proofs of their I.D.s.
4. The petitioners as also 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 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. 14,75,000/- from petitioner No. 1; out of which Rs. 8,00,000/- was paid earlier and Rs. 6,75,000/- has been paid in court today, 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. Manoj Pant, 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. 503/2021 dated 02.10.2021 registered under sections 498-A/406/34 IPC at P.S.: Vijay Vihar 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 11, 2024
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