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

+ **CRL.M.C. 5386/2024**

ANKIT SABHARWAL & ORS.

.....Petitioners

Through: Mr. Alok Singh, Mr. Dharmendra Singh, Mr. Sameer Malik and Ms. Sakshi Rewaria, Advocates.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Tarang Srivastava, APP for the State with W/SI Krishna, P.S.: Bindapur.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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12.09.2024

CRL.M.A. 20626/2024 (exemption)

CRL.M.A. 20627/2024 (exemption)

Exemptions granted, subject to just exceptions.

The applications stand disposed-of.

CRL.M.C. 5386/2024

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. 914/2021 dated 22.10.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Binda Pur, Delhi.

2. The petition is premised on statements dated 17.09.2022 made by petitioner No.1 and respondent No. 2 before the learned Judge, Family Courts, Dwarka, New Delhi in HMA No. 2352/22; and



Divorce Decree dated 17.09.2022, 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 supported by affidavits of the petitioners as also of respondent No. 2, alongwith proof of their I.D.s.
4. Petitioner No.1 as well as respondent No. 2 are present in court. Petitioners Nos. 2 & 3 have joined *via* video-conferencing. 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, who confirms that she has taken divorce by mutual consent; and that a 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 has received the entire amount of settlement of Rs.8,00,000/-, in compliance of the terms of the settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Tarang Srivastava, 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. 914/2021 dated 22.10.2021 registered under sections 498-A/406/34 IPC at P.S.: Binda Pur, 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

SEPTEMBER 12, 2024

V.Rawat