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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 5872/2024

SUNIL KUMAR & ORS.

.....Petitioners

Through: Ms. Shipra, Mr. Sachin Sehrawat and
Mr. Bhavya Singh Thakran,
Advocates.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Dharmveer, P.S. Chhawla.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

31.07.2024

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CRL.M.A. 22435/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

Crl. M.C. 5872/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure, the petitioners who are the former husband and former in-laws of the complainant/respondent No. 2 seek quashing of case FIR No. 222/2023 dated 01.06.2023 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Chhawala, Delhi.



2. The petition is premised on Compromise Deed dated 15.05.2024; and Divorce Decree dated 02.07.2024, 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. Renu Vats, respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement deed dated 15.05.2024 has been entered into between the parties; and all her claims including towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc. have been settled though without any monetary consideration. 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. 222/2023 dated 01.06.2023 registered under sections 498-A/406/34 of the IPC at P.S.: Chhawala 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 31, 2024/MR