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

+ **CRL.M.C. 5886/2024**

**RAVI**

.....Petitioner

Through: Mr. Rahul Thakur, Advocate along  
with petitioner.

versus

**THE STATE (N.C.T. OF DELHI) & ANR.**

.....Respondents

Through: Mr. Tarang Srivastava, APP for the  
State with Insp. Vikas Malik, P.S.:  
M.S. Park  
Respondent No.2 in-person.

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

% **05.11.2024**

**CRL.M.A.22512/2024 (exemption)**

Exemption granted, subject to just exceptions.

The application stands disposed-of.

**Crl. M.C. 5886/2024**

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who is the former husband of the complainant/respondent No. 2, seeks quashing of case FIR No.279/2011 dated 12.12.2011 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') and section 4 of Dowry Prohibition Act, 1961 ('Dowry Prohibition Act') at P.S.: Mansarovar Park, Delhi, on consent.



2. The petition is premised on a mutual settlement arrived-at between the parties and Divorce Decree dated 02.05.2016, 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 petitioner, as also of respondent No. 2, alongwith proof of their IDs.
4. The petitioner as well as respondent No.2 are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer.
5. The parties have confirmed that though one child was born from the wed-lock; however, unfortunately he passed away soon thereafter.
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 mutual settlement has been arrived-at between the parties; and that all aspects of the settlement have 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.279/2011 dated 12.12.2011 registered under sections 498-A/406/34 of the IPC and section 4 of the Dowry Prohibition Act at P.S.: Mansarovar Park, 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**

**NOVEMBER 5, 2024**

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