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

+ **CRL.M.C. 6325/2024**

GURPREET BASSAN & ORS.

.....Petitioners

Through: Mr. M. L. Pandey and Ms. Indu Pandey, Advocates with Petitioners in person.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Mr. Utkarsh, APP for the State with SI Manoj and SI Ankur Anand, PS Nihal Vihar.

Mr. Abhishek K. Mishra and

Mr. Pradeep K. Shukla, Advocates

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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14.08.2024

CRL.M.A. 24181/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

Crl. M.C.6325/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the petitioners seek quashing of case FIR No. 0024/2021 dated 09.01.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Nihal Vihar, Delhi ('subject FIR').

2. Though no written settlement has been filed on record, Mr. M. L. Pandey, learned counsel for the petitioner submits, that the terms of the settlement have been summarised in para 10 of judgement dated 21.03.2024 passed by the learned Judge, Family Court, Tis Hazari Court, Delhi while granting divorce to the parties, in culmination of



the petitions filed 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. A certified copy of judgement dated 21.03.2024 dissolving the marriage of the parties by mutual consent has been handed-up in court. The same is taken on record. No appeal is stated to have been filed from the judgement dissolving their marriage.
4. The petition is also supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proofs of their I.D.s.
5. The petitioners and respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer ('I.O.') as well as by their respective counsel.
6. 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 was to receive a sum of Rs. 2,75,000/- from petitioner No. 1; out of which Rs. 2,00,000/- was received earlier and Rs. 75,000/- has been paid in court today, in compliance of the terms of the settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
7. The parties have confirmed that no child was born from the wed-lock.
8. Mr. Utkarsh, 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. 0024/2021 dated 09.01.2021 registered under sections 498-A/406/34 IPC at P.S.: Nihal Vihar, 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

AUGUST 14, 2024
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