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

+ **CRL.M.C. 6379/2024**

SAURABH DASS GUPTA AND ORSPetitioners

Through: Mr. Ikrant Sharma, Ms. Ira Arora, Ms
Veena Bishnoi, Ms. Meenu Sharma
and Ms. Priyanka Verma, Advocates.
Petitioners *via* video-conferencing.

versus

GOVT OF NCT OF DELHI AND ANRRespondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Renu, P.S.: CWC, Nanakpura.
Ms. Parvathi Menon and Mr. Varun
Bansal, Advocates for R2.
R2 *via* video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **16.08.2024**

CRL.M.A. 24386/2024

Exemption allowed, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 6379/2024

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. 47/2018 dated 13.06.2018 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Crime (Women) Cell Nanak Pura, Delhi.

2. The petition is premised on Deed of Settlement dated 03.03.2023; and Judgment dated 01.09.2023, which judgment is the culmination of petitions under sections 13B(1) and 13B(2) of the Hindu Marriage Act



1955 ('HMA'), whereby the contesting parties have obtained dissolution of their marriage by mutual consent.

3. In evidence of the parties having obtained divorce by mutual consent, a copy of judgment dated 01.09.2023 has been placed on record, by which the second motion under section 13(B)(2) of the HMA has been allowed by the concerned court, though the final decree sheet has not been filed on record.
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. Petitioner No.1 has joined *via* video-conferencing from Luxembourg; petitioners Nos. 2 and 3 have joined *via* video-conferencing from Pune; and respondent No.2 has joined *via* video-conferencing from Ontario, Canada. Their credentials have been verified and they have also been identified by their respective counsel.
6. The parties have confirmed that no child was born from the wed-lock.
7. No appeal is stated to have been filed against the judgment granting divorce.
8. The court has queried Ms. Ananya Chakravarti, 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 (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., she was to receive a sum of Rs.21,00,000/- from petitioner No. 1; out of which Rs. 14,00,000/- was paid earlier and Rs. 7,00,000/- has been paid to her (through her counsel) 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.

9. Ms. Shubhi Gupta, learned APP confirms that the State has no objection to the subject FIR being quashed.
10. 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.
11. Accordingly, FIR No. 47/2018 dated 13.06.2018 registered under sections 498-A/406/34 IPC at P.S.: Crime (Women) Cell Nanak Pura, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 16, 2024

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