



\$~29

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

+ CRL.M.C. 6397/2024

SH KAMAL SINGH AND ORS

.....Petitioners

Through: Ms. Vijay Rani, Advocate for
petitioners Nos. 1-3.

versus

STATE (GOVT OF NCT OF DELHI) AND ANR.Respondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Anil, P.S., Seemapuri.
Ms. Divy Tomar, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

26.11.2024

%

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 508/2019 dated 07.08.2019 registered under sections 498-A/406 of the Indian Penal Code, 1860 and section 6 of the Dowry Prohibition Act, 1961 at P.S.: Seemapuri, Delhi.

2. The petition is premised on Affidavit dated 22.07.2024 signed by respondent No. 2; and Divorce Decree dated 10.08.2020, 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 alongwith proof of their IDs.



4. The petitioners as well as respondent No. 2 are present *via* video-conferencing. 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 wedlock.
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; that Affidavit dated 22.07.2024 has been signed by her expressing no objection to quashing of the subject FIR; 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 total sum of Rs. 3,20,000/-from petitioner No. 1, in compliance of the terms of the settlement. 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. 508/2019 dated 07.08.2019 registered under sections 498-A/406 IPC and section 6 of the Dowry Prohibition Act, 1961 at P.S.: Seemapuri, 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 26, 2024

V.Rawat