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

+ CRL.M.C. 6420/2024
SATYA NARAYAN

.....Petitioner

Through: Mr. Avadh Bihari Kaushik with Mr.
Rishabh Kumar, Advocates and
petitioner in court.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Vijay and W/HC Suman, P.S.:
Kanjhawala.
Mr. Digvejender Sharma and Mr.
Saurabh, Advocates for R2 with R2 in
court.

+ W.P.(CRL) 2537/2024

MUKESH GARG & ORS.

.....Petitioners

Through: Mr. Avadh Bihari Kaushik with Mr.
Rishabh Kumar, Advocates and
petitioners in court.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Priyam Agarwal and Mr.
Abhinav Arya, Advocates for Mr.
Sanjay Lao, Standing Counsel for the
State.
SI Manoj Kumar, P.S.: M. S. Park.
Mr. Digvejender Sharma and Mr.
Saurabh, Advocates for R2 with R2 in
court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

20.08.2024

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CRL.M.A. 24560/2024 in CRL.M.C. 6420/2024
CRL.M.A. 24736/2024 in W.P.(CRL) 2537/2024

Exemption granted, subject to just exceptions.

Applications stand disposed-of.

CRL.M.C. 6420/2024
W.P.(CRL) 2537/2024

By way of the petition bearing CRL.M.C. No. 6420/2024 filed under section 482 of the Code of Criminal Procedure, 1973 the parties seek quashing of case FIR No. 317/2020 dated 28.08.2020 registered under sections 354/354-A of the Indian Penal Code, 1860 ('IPC') at P.S.: Kanjhawala, Delhi. By way of the petition bearing W.P.(CRL) No. 2537/2024 filed under Article 226 of the Constitution of India the parties seek quashing of case FIR No. 89/2021 dated 17.03.2021 registered under sections 498-A/406/34 IPC at P.S.: Mansarovar Park, Delhi.

2. The petitions are premised on a common Mediated Settlement dated 27.07.2023 arrived at through mediation before the Delhi Mediation Centre, Karkardooma Courts, Delhi; and Divorce Decree dated 18.05.2024, 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 petitions are supported by affidavits of the parties, along with proofs of their I.D.s.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.



5. The court has interacted with the parties, who have confirmed that they have now resolved the matter and a Mediated Settlement dated 27.07.2023 has been signed by them closing all issues arising from both FIRs amicably. Parties now wish to live in peace and harmony going forward.
6. Petitioner No. 1 and respondent No. 2 in W.P. (CRL) No. 2537/2024 have also confirmed that no child was born from the wed-lock.
7. No appeal is stated to have been filed from the divorce decree.
8. The court has queried respondent No. 2 in W.P. (CRL) No. 2537/2024, who confirms that she has taken divorce by mutual consent; and that a mediated 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. 12,00,000/- from petitioner No. 1; out of which Rs.6,00,000/- was paid earlier and Rs.6,00,000/- has been paid in court today, in compliance of the terms of the mediated settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
9. Mr. Utkarsh, learned APP appearing in CRL.M.C. No. 6420/2024, and learned counsel appearing on behalf of Mr. Sanjay Lao, learned Standing Counsel (Criminal) in W.P.(CRL) No. 2537/2024, confirm that the State has no objection to the subject FIRs 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 FIRs 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 FIRs and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

11. While allowing the petition however, this court considers it appropriate, that by way of atonement, the petitioner in CRL.M.C. No. 6420/2024 shall pay costs of Rs. 10,000/- to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi, within 04 weeks.
12. Subject to the aforesaid condition, FIR No. 317/2020 dated 28.08.2020 registered under sections 354/354-A IPC at P.S.: Kanjhawala, Delhi; and FIR No. 89/2021 dated 17.03.2021 registered under sections 498-A/406/34 IPC at P.S.: Mansarovar Park are quashed. All proceedings arising therefrom also stand closed.
13. The Petitioner in CRL.M.C. No. 6420/2024 is directed to place on record the proof of payment of costs within 01 week of payment.
14. The Registry is directed to re-list CRL.M.C. No. 6420/2024 if costs are not paid as directed.
15. The petitions stand disposed-of.
16. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 20, 2024

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