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

+ **CRL.M.C. 6575/2024**

FAHAD ALI & ORS.

.....Petitioners

Through: Mr. Hashim Khan, Advocate.
Petitioner No.1 in court.
Petitioners Nos. 2 to 4 *via* video-conferencing.

versus

THE STATE GOVT OF NCT DELHI & ANR.Respondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Javind Kumar, P.S.: Jamia
Nagar.
Mr. Syed Nooruzzama, Advocate for
R-2 with R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

23.08.2024

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CRL.M.A. 25132/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

Crl. M.C. 6575/2024

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. 523/2023 dated 12.11.2023 registered under sections 498-A/406/506/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jamia Nagar, Delhi.

2. The petition is premised on Mediated Settlement dated 29.02.2024 arrived at through mediation before the Mediation Centre, Saket Courts, New Delhi; and Divorce Decree dated 28.03.2024, 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 petition is also supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proofs of their I.D.s.
4. Petitioner No.1 as well as respondent No. 2 are present in court. Petitioners Nos. 2 to 4 have joined *via* video-conferencing. Their credentials have been verified and they have also been identified by the Investigating Officer.
5. No appeal is stated to have been filed from the divorce decree.
6. The court has interacted with the petitioners, as also with respondent No. 2, who have confirmed that they have now resolved the matter; and a Mediated Settlement dated 29.02.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
7. Ms. Shubhi Gupta, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. 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.



9. Accordingly, FIR No. 523/2023 dated 12.11.2023 registered under sections 498-A/406/506/34 IPC at P.S.: Jamia Nagar, Delhi, is quashed. All proceedings arising therefrom also stand closed.
10. Needless to add that the settlement between the parties leading to the closure of all criminal proceedings by way of the present order will in no way affect the property rights and other rights of the minor child, viz. Maisha Ali vis-a-vis his father, as may be available under law, in any manner whatsoever
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 23, 2024
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