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

+ **CRL.M.C. 6729/2024**

SHYAM LAL & ORS.

.....Petitioners

Through: Mr. Praveen Kumar with Ms. Sharda
Singh and Mr. Raj Kumar,
Advocates.
Petitioners Nos. 1 to 4 in court.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with
Ms. Kumud Nijhawan, Mr. Kunal
Bhardwaj, Mr. Paras, Mr. Mohit
Rathee and Ms. Garima Saini,
Advocates.

SI Ajit Kumar, P.S.: Tigri and ASI
Sanjay Kumar, P.S.: Defence Colony.
Mr. Ashish Bhardwaj, Advocate for
R2 with R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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29.08.2024

CRL.M.A. 25694/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 6729/2024

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. 401/2021 dated 19.10.2021 registered under sections 498-A/406/506/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Tigri, Delhi.



2. The petition is premised on Mediated Settlement dated 05.08.2023 arrived at through mediation before the Mediation Centre, Saket Courts, New Delhi; and Divorce Decree dated 15.02.2024, 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. Petitioners Nos. 1 to 4 as well as respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by their respective counsel. Petitioner No.5 is not present in court since she is stated to be the resident of Shamshabad, Agra, Uttar Pradesh.
5. The parties have confirmed that no child was born from the wed lock.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has queried Ms. Sangita, 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.2,00,000/- from petitioner No. 1; out of which Rs. 1,50,000/- was paid earlier and Rs.50,000/- has been paid 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.



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. 401/2021 dated 19.10.2021 registered under sections 498-A/406/506/34 IPC at P.S.: Tigri, 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 29, 2024

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