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

+ **W.P.(CRL) 2696/2024**

LOKESH KUMAR ANR

.....Petitioners

Through: Ms. Kiran Dharam with Mr. Puneet Verma, Advocates with petitioners in court.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the State with Mr. Alok Sharma, Mr. Vasu Agarwal, Advocates and SI Deepak Kumar, P.S.: Jahangir Puri. Ms. Alka with Mr. Vaibhav, Mr. Mohit Tomar, Ms. Anita Saxena and Ms. Ishka Chauhan, Advocates for R2.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **03.09.2024**

CRL.M.A. 26447/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 2696/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the former husband and father-in-law of the complainant/respondent No.2, seek quashing of case FIR No.319/2016 dated 28.05.2016 registered under sections 498-A/ 406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jahangir Puri, North West Delhi.



2. The petition is premised on Settlement Agreement dated 11.12.2023 arrived at through mediation before the Delhi Mediation Centre, Rohini District Courts, Delhi; and Divorce Decree dated 06.06.2024, 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 proof of their I.D.s.
4. The petitioners 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.
5. No appeal is stated to have been filed from the divorce decree.
6. The parties have confirmed that no child was born from their wed-lock, though respondent No.2 states that she has adopted a daughter from her cousin, which adoption however has nothing to do with petitioner No.1.
7. The court has queried respondent No.2, who confirms that she has taken divorce by mutual consent; and that a settlement/agreement 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.5,50,000/- from petitioner No.1; out of which Rs.3,50,000/- was paid earlier and Rs.2,00,000/- has been paid in court today, in compliance of the terms of the settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.



8. Mr. Yasir Rauf Ansari, learned ASC 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.319/2016 dated 28.05.2016 registered under sections 498-A/406/34 IPC at P.S.: Jahangir Puri, North West 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

SEPTEMBER 3, 2024

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