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

+ **CRL.M.C. 7038/2024**

RANJAN RAWAT & ORS.

.....Petitioners

Through: Mr. Vineet Anand and Mr. Anshul
Kulshrestha Advocates *via* video-
conferencing.

versus

STATE (NCT OF DELHI) THROUGH SHO & ANR.....Respondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Akshay Sheoran, P.S.
Sagarpur.

Mr. Mayank Sharma and Mr. Rajiv
Kumar Trivedi, Advocates for R2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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06.09.2024

Crl. M.C. 7038/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the husband and in-laws of the complainant/respondent No.2, seek quashing of case FIR No.380/2022 dated 03.07.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sagar Pur, New Delhi ('subject FIR').

2. The petition is premised on Memorandum of Understanding dated 12.02.2024 ('MoU'), whereby the petitioners and respondent No.2 have resolved the matter amicably.
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. The court has interacted with respondent No.2, as also with the petitioners, who have confirmed that they have now resolved the matter and an MoU dated 12.02.2024 has been signed between them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
6. Recital No.3 of the MoU records that petitioner No.1 and respondent No.2 have 02 children, by name Master Ayush (aged about 15 years) and Miss Aarushi (aged about 11 years) born from the wedlock. Upon being queried, petitioner No.1 and respondent No.2 jointly inform the court that Master Ayush is presently residing with petitioner No.1 (father) in Uttarakhand and Miss Aarushi is residing with respondent No.2 (mother) in Delhi.
7. Though the MoU is silent on whether the parties would be cohabiting in the times to come, in the course of the interaction with the parties court it has come through, and with the consent and concurrence of petitioner No.1 and respondent No.2, under advice of their respective counsel, it is recorded that consequent upon the quashing of the subject FIR, and after Miss Aarushi completes her 06th Grade exams in Delhi, respondent No.2 alongwith her daughter (Miss Aarushi) will shift to Rishikesh Gumaniwala, Dehradun, Uttarakhand to co-habit with petitioner No.1. and their son Master Ayush. Parties state that this agreement and arrangement would be in addition to whatever else



has been recorded and agreed-upon by the parties in MoU dated 12.02.2024.

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.380/2022 dated 03.07.2022 registered under sections 498-A/406/34 of the IPC at P.S.: Sagar Pur, New 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 6, 2024

V.Rawat