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

+ **CRL.M.C. 7310/2024**

SH. KULVINDER SINGH & ORS.Petitioners

Through: Mr. Abhimanyu Kumar, Advocate.
P-1 to P-4 in person.
P-5 via video-conferencing.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.....Respondents

Through: Ms. Shubhi Gupta, APP for the State
with S.I. Komal, P.S. Jagatpuri.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **13.09.2024**

CRL.M.A. 27880/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 7310/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 399/2014 dated 01.07.2014 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jagat Puri, Delhi. Consequent upon completion of investigation, an allegation under section 4 of the Dowry Prohibition Act, 1961 has also been added *vide* chargesheet dated 07.09.2017.

2. The petition is premised on Settlement Deed dated 14.05.2024 ('Settlement Deed') arrived at through mediation before the Delhi



Mediation Centre, Karkardooma District Courts, Delhi; and Divorce Decree dated 23.08.2024, 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. Respondent No. 2 is present in court. The petitioners are also present in court except petitioner No. 5/Harbans Kaur, who appears *via* video-conferencing by reason of ill-health. Their credentials have been verified and they have also been identified by the Investigating Officer.
5. The parties have confirmed that no child was born from the wedlock.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has queried respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement deed has been entered into between petitioner No. 1 and her; 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. Rs.9,00,000/- from petitioner No. 1; out of which Rs. 6,00,000/- was paid earlier and Rs. 3,00,000/- 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. 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. 399/2014 dated 01.07.2014 registered under sections 498-A/406/34 IPC at P.S.: Jagat Puri, 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 13, 2024/ak