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

+ **CRL.M.C. 7792/2024 & CRL.M.A. 29791/2024**

HIMANSHU KHANDELWALPetitioner

Through: Mr. Rajesh Kumar and Mr. Sanjay
Jain, Advocates.
Petitioner in-person.

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkarsh, APP for the State.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **11.11.2024**

CRL.M.C. 7792/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner seeks quashing of case FIR No.355/2020 dated 14.12.2020 registered under sections 498-A/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Nabi Karim, Delhi.

2. As recorded in order dated 03.10.2024, since the petition was filed after 01.07.2024 and there was no earlier petition for the same relief pending before the court, the petition was treated as one under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), by reason of section 531 BNSS viz. the repeal and savings clause in the BNSS.
3. Furthermore, in terms of what was recorded in last order dated 03.10.2024, Settlement Agreement dated 09.10.2024 has been received from the Delhi High Court Mediation & Conciliation Centre.



4. The petitioner 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 petition is also supported by affidavits of the petitioners, as also of respondent No.2, alongwith proof of their IDs.
6. The parties have confirmed that one child, viz. Ansh, was born from the wedlock, who is 'minor' as of date.
7. The parties are stated to have resolved all their disputes amicably and in view of the settlement, respondent No.2 has re-joined the company of petitioner w.e.f. 11.09.2024 and they have been living together ever-since, alongwith their only son.
8. The court has interacted with the parties. The parties have confirmed that they have now fully understood the terms of their settlement and have resolved all their *inter-se* disputes and are residing together for the last 01 year alongwith their minor son Ansh, who is also being well looked after in all aspects, including in relation to his emotional, social and academic needs to the best of their capacity.
9. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
10. 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.

11. Accordingly, FIR No.355/2020 dated 14.12.2020 registered under sections 498-A/34 of the IPC at P.S.: Nabi Karim, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 11, 2024/ak