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

+ **CRL.M.C. 7829/2024**

SANDEEP AHUJA

.....Petitioner

Through: Mr. Naveen Kumar, Advocate via
video conferencing.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Dilsukh, PS KNK Marg,
Rohini.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **04.10.2024**

CRL.M.A. 29867/2024

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.M.C. 7829/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who is the former husband of the complainant/respondent No. 2, seeks quashing of case FIR No. 132/2021 dated 31.03.2021 registered under sections 498-A/406/506 of the Indian Penal Code, 1860 ('IPC') at P.S.: K.N. Katju Marg, Delhi.

2. The petition is premised on Settlement Agreement dated 29.08.2023 signed under the aegis of Counselling Cell, Family Courts, Rohini Courts, Delhi; and Divorce Decree dated 07.11.2023, 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 supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
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 the Investigating Officer.
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 respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement greement 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 has received a sum of Rs. 5,00,000/- from the petitioner, in compliance of the terms of the settlement agreement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Hitesh Vali, 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. 132/2021 dated 31.03.2021 registered under sections 498-A/406/506 IPC at P.S.: K.N. Katju Marg, 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

OCTOBER 4, 2024

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