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

+ **CRL.M.C. 8627/2024**

SH SUNNY CHAUDHARY

.....Petitioner

Through: Mr. Arun Sheoran with Mr. Sushik Kumar, Advocates and petitioner in court.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the State with Ms. Sanya Narula, Advocate.

SI Naresh Kr. Sharma, P.S.: Shahdara.

Mr. Amit Rao, Advocate for R2 with R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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06.11.2024

CRL.M.A. 32993/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL. M.C. 8627/2024

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. 267/2019 dated 16.10.2019 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Shahdara, Delhi.

2. The petition is premised on Compromise Deed/Settlement dated 29.02.2024; and Divorce Decree dated 15.05.2024, 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 supported by affidavits of the petitioner, 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 their respective counsel.
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 compromise deed 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. 13,15,000/- from the petitioner; out of which Rs.8,65,000/- was paid earlier and Rs. 4,50,000/- has been paid in court today, in compliance of the terms of the compromise deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Sanjeev Sabharwal, 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 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. 267/2019 dated 16.10.2019 registered under sections 498-A/406/34 IPC at P.S.: Shahdara, 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

NOVEMBER 6, 2024
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