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

+ **CRL.M.C. 8846/2024**

MOHD IMRAN & ORS.

.....Petitioners

Through: Mr. Sahab-e-Alam, Advocate.
Petitioners in-person.

versus

GNCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with Investigating Officer, P.S.:
Budh Vihar.
Respondent No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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12.11.2024

CRL.M.A. 33821/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 8846/2024

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. 0053/2019 dated 21.02.2019 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Budh Vihar, Delhi ('subject FIR').

2. The petition is premised on an oral settlement between the contesting parties, whereby respondent No.2 (wife) has rejoined the company of petitioner No.1 (husband).



3. The petition is also supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
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 the Investigating Officer.
5. The court has interacted with respondent No.2 and she confirms that though there is no written settlement, she has resolved her disputes with the petitioners. She states that she has been cohabiting with her husband (petitioner No.1) since 21.10.2021, alongwith their son who is aged about 07 years.
6. Mr. Digam Singh Dagar, learned APP appearing on behalf of the State confirms that the State has no objection to the subject FIR being quashed.
7. 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 arising 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.
8. Accordingly, FIR No. 0053/2019 dated 21.02.2019 registered under sections 498-A/406/34 IPC at P.S.: Budh Vihar, Delhi is quashed. All proceedings arising therefrom also stand closed.



9. The petition stands disposed-of.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 12, 2024

V.Rawat