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

+ **W.P.(CRL) 3567/2024**

AJAY SINGH CHIB & ORS.

.....Petitioners

Through: Mr. Nitish Banka and Ms. Chetna,
Advocates.
Petitioners *via* video-conferencing.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State.
SI Hemant, D-226, PS Jafrabad
Mr. Ikrant Sharma, Ms. Shweta
Sharma, Ms. Ira Arora, Advocates for
Respondent No.2 with Respondent
No.2 in-person

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

14.11.2024

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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.611/2022 dated 13.08.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') and sections 3/4 of the Protection of Women from Domestic Violence Act, 2005 ('DV Act') at P.S.: Jafrabad, North-East Delhi.

2. The petition is premised on Memorandum of Understanding/Settlement Deed dated 30.04.2024 arrived at between petitioner No.1 and respondent No.2; 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 supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
4. The petitioners have joined the proceedings *via* video-conferencing and respondent No. 2 is 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 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 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. 15,00,000 /-from petitioner No. 1; out of which Rs. 10,00,00 /- was paid earlier and Rs.5,00,000 /- 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. Mr. Sanjay Lao, learned ASC 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.611/2022 dated 13.08.2022 registered under sections 498-A/406/34 of the IPC and section 3/4 of the DV Act at P.S.: Jafrabad, North-East 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 14, 2024

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