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

+ CRL.M.C. 9221/2024 & CRL.M.A. 35358/2024

RITESH GOEL & ANR.

.....Petitioners

Through: Mr. Ravi Bassi, Mr. Sanyam Malik,
Mr. Nitin Kumar and Mr. Akshat
Dhawan, Advocates alongwith the
petitioners.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Hitesh Vali, APP for the State.
Mr. S.S. Mittal, Mr. Akshay Mittal
and Mr. Nitini Jain, Advocates for R-
2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

26.11.2024

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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 mother-in-law of the complainant/respondent No. 2, seek quashing of case FIR No. 190/2019 dated 10.06.2019 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Sector-23, Dwarka, Delhi.

2. The petition is premised on Memorandum of Mutual Understanding dated 04.05.2024; and Divorce Decree dated 19.10.2024, 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 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 wed-lock.
6. No appeal is stated to have been filed from the divorce decree.
7. Mr. Ravi Bassi, learned counsel appearing for the petitioners submits, that even though the father of petitioner No. 1 was named in the subject FIR as one of the accused persons, since he passed away before filing of the chargesheet, he has not been impleaded as a co-petitioner in the present matter.
8. The court has queried respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a settlement 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. 10,00,000/- was paid earlier and Rs. 5,00,000/- has been paid in court today, in compliance of the terms of the settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
9. Mr. Hitesh Vali, 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. 190/2019 dated 10.06.2019 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Sector-23, Dwarka, 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 26, 2024

V.Rawat