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

+ **W.P.(CRL) 3707/2024**

MR SHAKTI SINGH & ORS.

.....Petitioners

Through: Ms. Mahima Gouri and Mr. Kapil Tyagi, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for the State with Mr. Priyam Agarwal, Advocate.

SI Dharmveer, PS Chhawla

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.11.2024

CRL.M.A. 35552/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

W.P.(CRL) 3707/2024

By way of the present petition filed under Article 226 of the Constitution of India read with 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.0011/2022 dated 03.01.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Chhawala, Dwarka Delhi.

2. The petition is premised on Settlement dated 30.03.2024 arrived at through Mediation before the Mediation Centre Dwarka Courts, New Delhi; and Divorce Decree dated 22.08.2024, 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 petitioner Nos. 1, 2 and 3 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. Petitioner No. 4 has joined *via* video-conferencing since she is stated to be indisposed.
5. Though respondent No.2 initially expressed some doubts in relation to return of her jewellery and other personal items, but when confronted with the contents of the settlement signed by her, which recites 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. 11,00,000 /- from petitioner No. 1, out of which Rs. 8,00,000 /- was paid earlier and Rs. 3,00,000 /- has been paid in court today, she has indicated her concurrence to the fact that all aspects of the settlement deed have now been preformed.
6. The parties have confirmed that no child was born from the wed-lock.
7. No appeal is stated to have been filed from the divorce decree.
8. Mr. Sanjay Lao, learned Standing Counsel appearing for the State 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, case FIR No.0011/2022 dated 03.01.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Chhawala, 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 27, 2024/ss