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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9311/2024**
KARAN RAJ ALIAS KARAN RAJ GAUTAM & ORS.

.....Petitioners

Through: Mr. Shivam Sharma and Mr.
Shraveen Kumar Verma, Advocates.

versus

THE STATE (GOVT. OF N.C.T. OF DELHI) & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Ranjana, P.S. Subzi Mandi.
Mr. Devashish Shandilya, Mr.
Shubham Mishra and Mr. Arpit
Singh, Advocates.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
28.11.2024

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CRL.M.A. 35689/2024

Exemption granted, subject to just exceptions.

The applications stand disposed-of.

CRL.M.C. 9311/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 0368/2022 dated 14.07.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Subzi Mandi, Delhi ('subject FIR').



2. The petition is premised on Settlement Deed dated 16.03.2024 ('Settlement Deed') signed by petitioner No.1 and respondent No.2 under the aegis of the Mediation Centre, Dwarka District Courts, New Delhi; and Judgment dated 05.10.2024 passed by the learned Judge, Family Court, Dwarka District Courts, New Delhi, 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 and respondent No. 2 are present in court. Their credentials have been verified and they have also been identified by Investigating Officer.
5. The parties have confirmed that no child was born from the wed-lock.
6. No appeal is stated to have been filed against the judgment granting divorce.
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 her and petitioner No.1; 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. 6,30,000/- from petitioner No. 1; out of which Rs. 4,15,000/- was paid earlier and Rs. 2,15,000/- 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. Hitesh Vali, learned APP appearing on behalf of 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, FIR No. 0368/2022 dated 14.07.2022 registered under sections 498-A/406/34 IPC at P.S.: Subzi Mandi, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. The petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 28, 2024

V.Rawat