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

+ **CRL.M.C. 10172/2024**

PARVINDER SINGH & ANR.

.....Petitioners

Through: Counsel (appearance not given)

P-1 in court.

P-2 *via* video-conferencing.

versus

THE STATE OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Vijay Pal Singh, P.S.:
CWC Nanak Pura.

Mr. Dhruva Bhagat, Advocate or R-2.
R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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23.12.2024

CRL.M.A. 39013/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 10172/2024

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. 0053/2021 dated 02.12.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Crime (Women) Cell, Nanak Pura, Delhi



(‘subject FIR’). Consequent upon completion of investigation, offences under sections 323/506 were added *vide* chargesheet dated 23.01.2023 filed in the matter.

2. The petition is premised on Settlement Agreement dated 21.10.2024 arrived at through mediation before the Mediation Centre, Saket District Courts, New Delhi; and Divorce Decree dated 11.12.2024, 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. Petitioner No.1 and respondent No. 2 are present in court; petitioner No.2 has joined the proceedings *via* video-conferencing. Their credentials have been verified and they have also been identified by the Investigating Officer and by their respective counsel.
5. The parties have confirmed that one child, *viz* Master Arshbir Singh, was born from the wedlock, who is minor as of date.
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 agreement 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. 20,00,000/- from petitioner No. 1.



8. The sum of Rs. 20,00,000/- as agreed-to under the settlement agreement has been handed-over to respondent No.2 by way of a demand draft in the sum of Rs. 10,00,000/- and by way of a cheque bearing No. 646263 dated 17.12.2024 in the sum of Rs. 10,00,000/-.
9. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
10. Mr. Sanjeev Sabharwal, learned APP appearing on behalf of the State confirms that the State has no objection to the subject FIR being quashed.
11. 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.
12. It is made clear that nothing in the settlement agreement would affect the right of the minor child to meet his father, if and when he so desires, subject to logistical convenience of the parties.
13. Needless to add that the settlement between the parties leading to the closure of all criminal proceedings by way of the present order will in no way affect the property rights and other rights of the minor child, namely Master Arshbir Singh *vis-à-vis* his father, as may be available under law, in any manner whatsoever.



14. In view of the above, and *subject to* encashment of the cheque referred to above, FIR No. 0053/2021 dated 02.12.2021 registered under sections 498-A/406/34 of the IPC at P.S.: Crime (Women) Cell, Nanak Pura, Delhi is quashed. All proceedings arising therefrom also stand closed.
15. The petition stands disposed-of.
16. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 23, 2024

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