



2025:DHC:1898



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

% ***Date of decision: 21.03.2025***

+ **CRL.M.C. 1519/2025**

ROHIT KHARERA @ ROHIT & ORS.Petitioners

Through: Mr. Rajan, Mr. Harjeet Singh
Sidhu, Mr. Kushank Mittal &
Md. Haroon, Advs.

versus

STATE OF NCT DELHI & ANR.Respondents

Through: Ms. Manjeet Arya, APP for
State.
SI Sunil PS Adarsh Nagar,
Delhi.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

SHALINDER KAUR, J. (ORAL)

CRL.M.A. 6835/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 1519/2025

3. The present Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the Petitioners, who are the Husband, Father-in-law, Mother-in-law and Brother-in-law of the Complainant / Respondent No. 2, seeking to quash the FIR No. 79/2021 dated 05.02.2021 (subject FIR) registered at the Police Station Shalimar Bagh under Sections 498A/406/34 of the Indian

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Penal Code, 1860 ('IPC').

4. Consequent upon completion of the Investigation in the present matter, the Charge-sheet dated 21.06.2022 was filed for the offences under Sections 498A, 406, 34 of IPC, the case for which was pending disposal before the learned JMFC, Rohini Courts, Delhi.

5. It is jointly submitted by the parties that pursuant to settlement arrived between the petitioner no. 1 and respondent no. 2 on 06.09.2023, a full and final settlement with respect to the entire litigation between the parties has been arrived.

6. The settlement of the parties and the identification have been done before the Joint Registrar (Judicial) vide order dated 03.03.2025.

7. In view thereto, the respondent no. 2 has received the entire sum of Rs.50,000/- as full and final settlement and their marriage has been dissolved by way of mutual consent decree dated 30.10.2023 passed by the learned in HMA No. 2966/2023 under Section 13B(2) of the Hindu Marriage Act, 1955 and no other litigation now is pending between the parties.

8. The parties have also agreed that the custody of both the children namely Master Viraj born on 05.10.2012 and minor daughter Kashvi born on 09.08.2018 shall remain with respondent no. 2 and the petitioner no. 1 shall have the visitation rights as per the Settlement agreement dated 06.09.2023. Further, Petitioner no.1 has undertaken to pay Rs.15,000/- per month towards the maintenance of both of his children from September 2023 to August 2036 as per the terms agreed therein.

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9. The Petition is also supported by No Objection Certificate from respondent no. 2 along with the proof of her identity; Aadhaar Card.

10. The Petitioner no.1 as well as Respondent No.2 are present in court and Petitioner nos .2 to 4 are present through Video Conferencing. Their credentials have been verified and they have also been identified by their respective counsels and the I.O. The report of the Joint Registrar (Judicial) *vide* Order dated 03.03.2025 has also been perused.

11. The learned counsel for the parties submit that in pursuance to the settlement, the parties have withdrawn the respective litigations filed by them.

12. The Court has also queried from the Respondent No.2 who confirms that the Settlement/Agreement dated 06.09.2023 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 has received a sum of Rs.50,000/- from the Petitioner No.1 as full and final settlement, in compliance of the terms of the said Settlement/Agreement. Respondent No.2 also confirms that all aspects of the settlement have now been performed, except the payment of maintenance of the two minor children which will continued to be paid till year 2036, as noted hereinabove. Respondent no.1 too confirms to all the contents of the settlement.

13. Ms. Manjeet Arya, learned APP affirms that the State has no objection to the subject FIR being quashed.



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14. In these circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

15. Accordingly, FIR No. 79/2021 dated 05.02.2021 registered at the Police Station Shalimar Bagh New Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860, is hereby quashed. All proceedings arising therefrom also stand closed.

16. Accordingly, the petition stands disposed of.

SHALINDER KAUR, J

MARCH 21, 2025/ab/kp

[Click here to check corrigendum, if any](#)