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

+ **CRL.M.C. 2160/2026**

RAJINDER KUMAR & ANR.

.....Petitioners

Through: Ms. Anju Gautam, Advocate.
Petitioners in court.

versus

THE STATE, NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
S.I. Sonal Raj, P.S: Bharat Nagar.
R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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24.03.2026

CRL.M.A. 8921/2026

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 2160/2026

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. 263/2015 dated 23.05.2015 registered under sections 34/406/498-A of the Indian Penal Code, 1860 ('IPC') at P.S.: Bharat Nagar, North West District, Delhi.

2. The petition is premised on Memorandum of Understanding/Settlement Deed dated 07.10.2023; and Divorce Decree dated 26.05.2025, 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 two children, viz. Gaurav and Mohit, were born from the wedlock, who are major 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 deed has been entered into between the parties. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Mr. Shoaib Haider, learned APP 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. 263/2015 dated 23.05.2015 registered under sections 34/406/498-A of the IPC at P.S.: Bharat Nagar, North West



District, Delhi. is quashed. All proceedings arising therefrom also stand closed.

11. 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 major children, namely Gaurav and Mohit *vis-à-vis* their parents, as may be available under law, in any manner whatsoever.
12. Petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MARCH 24, 2026

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