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

+ **CRL.M.C. 2530/2026**

NISHANT GULLIYA AND ORS

.....Petitioners

Through: Ms. Azra Rehman, Mr. Harinder Singh, Mr. Zakir Rehman, Mr. Saif Tanveer, Ms. Laiba Muskan and Ms. Zahara Sheikh, Advocates.
P-1 in-person.

versus

STATE GOVT OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Kiran Bairwa, APP for the State.
SI Nitesh Mahiya, P.S.: Sagarpur.
R-2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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13.05.2026

CRL.M.A. 10270/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.M.C. 2530/2026

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 in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 0497/2022 dated 26.07.2022 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sagar Pur, South-West Delhi.



2. The petition is premised on Settlement Agreements dated 13.01.2025 and 25.04.2026 arrived at through mediation before the Delhi High Court Mediation & Conciliation Centre; and Divorce Decree dated 04.11.2025, 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. No appeal is stated to have been filed from the divorce decree.
5. Petitioner No.1 as well as respondent No. 2 are present in court. Petitioners Nos.2 and 3 are not available due to health reasons. Their credentials have been verified and they have also been identified by their respective counsel.
6. The parties have confirmed that two daughters, viz. Jeswika and Adwika, were born from the wedlock, who are minor as of date.
7. As per the settlement deed the minor child, Adwika, shall remain in the custody of respondent No.2 and the minor child, Jeswika, shall remain in the custody of petitioner No.1. Further to what was recorded in order dated 06.04.2026, Ms. Azra Rehman, learned counsel appearing for the petitioners submits, that the parties went back for mediation before the same learned Mediator at the Delhi High Court Mediation & Conciliation Centre and have signed an additional Settlement Agreement dated 25.04.2026, which puts in place a consensual arrangement to ensure that the two daughters, each of whom will reside with one parent separately, would be able to meet each other on every second and fourth Saturday of each month, on their birthday



celebrations and spend one week together during each summer and winter vacation.

8. The court has queried Ms. Anukriti Chaudhary, 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; 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. 15,00,000/- from petitioner No. 1; out of which Rs. 12,00,000/- was paid earlier and Rs. 3,00,000/- 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.
9. The court has also interacted with petitioners No.1 and respondent No.2; and is satisfied that the additional arrangement made between the parties sufficiently takes care of the welfare and interests of the two daughters, to the extent possible in the given circumstances.
10. Ms. Kiran Bairwa, learned APP 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. Accordingly, FIR No. 0497/2022 dated 26.07.2022 registered under sections 498-A/406/34 of the IPC at P.S.: Sagar Pur, South-West Delhi is quashed. All proceedings arising therefrom also stand closed.
13. Though, as per the settlement deed, the minor child, Adwika, shall remain in the custody of respondent No.2 and the minor child, Jeswika, shall remain in the custody of petitioner No.1, and both the parents shall have visitation rights, it is made clear that nothing in this settlement agreement would affect the rights of the minor children to meet their parents, if and when they so desire, subject to logistical convenience of the parties.
14. 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-children, viz. Jeswika and Adwika *vis-à-vis* their parents, as may be available under law, in any manner whatsoever.
15. Petition stands disposed-of.
16. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MAY 13, 2026/ak