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

+ **CRL.M.C. 3546/2026**

DEV KUMAR LAMBA

.....Petitioner

Through: Ms. Priyanka Yadav, Ms. Vanshika Nagpal, Advocates alongwith petitioner (in-person)

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State.
Mr. Nihar Dagar, Advocate for R-2
alongwith R-2.
SI Hemant P.S.: Dwarka North, W/SI
Rima Raj, Special Cell/NDR.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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07.05.2026

CRL.M.A. 14433/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 3546/2026

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who is the former husband of complainant/respondent No.2, seeks quashing of case FIR No.0158/2021 dated 26.03.2021 registered under sections



498-A/406 of the Indian Penal Code, 1860 ('IPC') at P.S.: Dwarka North, Delhi.

2. The petition is premised on Memorandum of Understanding ('MoU') dated 27.02.2026; and Divorce Decree dated 08.04.2026, 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 petitioner, as also of respondent No.2, alongwith proof of their IDs.
4. The petitioner 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. *Devanshi Lamba* and *Aaradhya Lamba*, were born from the wedlock, who are 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 memorandum of understanding has been entered into between the parties. Respondent No.2 confirms that all aspects of the memorandum of understanding have now been performed.
8. Ms. Kiran Bairwa, 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.158/2021 dated 26.03.2021 registered under sections 498-A/406 of the IPC at P.S.: Dwarka North, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Though the settlement deed also records that the minor children shall remain in the custody of respondent No.2 and petitioner No.1 shall have no visitation rights, it is made clear that nothing in this settlement agreement would affect the right of the minor children to meet their father, if and when they so desire, subject to logistical convenience of the parties.
12. 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 children, namely Devanshi Lamba and Aaradhya Lamba *vis-à-vis* their parents, as may be available under law, in any manner whatsoever.
13. Petition stands disposed-of.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MAY 7, 2026

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