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

+ **W.P.(CRL) 2946/2025**

MUKESH GARG

.....Petitioner

Through: Mr. Shoeb Shakeel, Mr. Sahim Khan, Mr. Varun and Mr. R. Kumar, Advocates.
Petitioner in-person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for the State with Mr. Alok Sharma, Advocate.
SI Pradeep Chauhan, P.S.: Kalkaji.
Mr. Gagan Singh, Mr. Archit Mittal, Mr. Jasdeep Singh Anand and Ms. Vishalakshi Goel, Advocates for R-2.
R-2 via video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.01.2026

CRL.M.A. 27376/2025 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 2946/2025

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner, who is the former husband of the complainant/respondent No. 2, seeks quashing of case FIR No.



0511/2025 dated 27.08.2025 registered under sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Kalkaji, South-East Delhi.

2. The petition is premised on Settlement dated 22.11.2025 arrived at through mediation before the Mediation Centre, Saket Courts, New Delhi; and Divorce Decree dated 23.12.2025, which is the culmination of petitions under sections 13-B(1) and 13-B(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.
4. The petitioner is present in court. Respondent No.2 and her counsel have joined *via* video-conferencing. Their credentials have been verified and they have also been identified by their respective counsel.
5. The parties have confirmed that three children, viz. Muskan Garg Shayama Garg and Krishna Garg were born from the wedlock, out of whom, only Krishna Garg is minor as of date.
6. Upon being queried, respondent No.2 states that of the three children, Muskan Garg is married; whereas Shayama Garg and Krishna Garg are residing with the petitioner.
7. No appeal is stated to have been filed from the divorce decree.
8. The court has queried Ms. Uma Garg, 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 has received a sum of Rs. 40,00,000/-from the petitioner, in compliance of the terms of the mediated settlement. Respondent No. 2 confirms that all aspects of the settlement have been performed.

9. Mr. Yasir Rauf Ansari, learned ASC confirms that the State has no objection to the subject FIR being quashed.
10. 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.
11. Accordingly, case FIR No. 0511/2025 dated 27.08.2025 registered under sections 498A/406/34 of the IPC at P.S.: Kalkaji, South-East Delhi is quashed. All proceedings arising therefrom also stand closed.
12. Though the settlement deed also records that the minor child shall remain in the custody of the petitioner (father) and respondent No.2 (mother) shall have visitation rights, it is made clear that nothing in this settlement agreement would affect the right of the minor children to meet his mother, 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 two major children and one minor child, namely Muskan Garg, Shayama Garg and Krishna Garg *vis-à-vis* their parents, as may be available under law, in any manner whatsoever.

14. Petition stands disposed-of.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 27, 2026/ak