



\$~76

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

+ CRL.M.C. 32/2026, CRL.M.A. 54/2026

JITENDER & ORS.

.....Petitioners

Through: Mr. Amit Kumar, Ms. Aaina Verma
and Mr. Yuv Dahiya, Advocates.
Petitioners Nos.1 to 3 in-person.
Petitioners Nos.5 and 6 *via* video-
conferencing.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP for the
State.
SI Sumeet, P.S.: Vivek Vihar.
Respondent No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **12.01.2026**

CRL.M.A. 53/2026 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.A. 55/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners seek condonation of about 20 days' delay in *re-filing* the petition.

2. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.



3. The application is allowed and disposed-of.

CRL.M.C. 32/2026

4. By way of the present petition filed under section 528 of the BNSS, the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 0042/2021 dated 12.02.2021 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 at P.S.: Vivek Vihar, Shahdara, Delhi.
5. The petition is premised on a Memorandum of Understanding dated 26.03.2022 arrived at between petitioner No.1 and respondent No.2; and Divorce Decree dated 19.04.2023, 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.
6. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
7. Petitioners Nos. 1 to 3, as well as respondent No. 2, are present in court. Petitioners Nos. 5 and 6 have joined the proceedings *via* video-conferencing. For the record, petitioner No.4 has passed away. Their credentials have been verified and they have also been identified by their respective counsel.
8. The parties have confirmed that no child was born from the wed-lock.
9. No appeal is stated to have been filed from the divorce decree.
10. The court has queried Ms. Ruchika, 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. 7,90,000/- from petitioner No. 1, in compliance of the terms of the settlement deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.

11. Ms. Richa Dhawan, learned APP confirms that the State has no objection to the subject FIR being quashed.
12. 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.
13. Accordingly, case FIR No. 0042/2021 dated 12.02.2021 registered under sections 498-A/406/34 IPC at P.S.: Vivek Vihar, Shahdara, Delhi is quashed. All proceedings arising therefrom also stand closed.
14. Petition stands disposed-of.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 12, 2026/ak