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

+ **CRL.M.C. 112/2026**

JAGDISH AND ORS

.....Petitioners

Through: Mr. Deepanshu Singh, Advocate with
petitioners in court.

versus

STATE (NCT OF DELHI) AND ANR

.....Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Rocky, P.S.: Swaroop Nagar.
R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **07.01.2026**

CRL.M.A. 374/2026

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 112/2026

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 respondent No.2/complainant, seek quashing of case FIR No. 0055/2017 dated 23.02.2017 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Swaroop Nagar, North West, Delhi.

2. The petition is premised on a Memorandum of Understanding/Settlement dated 23.05.2025 arrived at through an out-of-court settlement; and Divorce Decree dated 11.12.2025, which is the culmination of petitions under sections 13B(1) and 13B(2) of the Hindu



Marriage Act 1955, whereby petitioner No.1 and respondent No. 2 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 one child, viz. Baby Aditi, was born from the wedlock, who is minor as of date.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has queried Ms. Pooja, 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 the sum of Rs. 04 lacs from petitioner No. 1. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
8. Ms. Richa Dhawan, 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. 0055/2017 dated 23.02.2017 registered under sections 498-A/406/34 IPC at P.S.: Swaroop Nagar, North West, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Though the settlement deed records that the minor child shall remain in the custody of respondent No.2; and petitioner No.1 shall have, “*visitation rights with Baby Aditi once in three months*”, upon being queried, the parties have agreed that petitioner No. 1 would be entitled to meet their daughter, as and when he desires, subject to the convenience and concurrence of the child, and the 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 minor child, namely Baby Aditi *vis-à-vis* her father, including the right to meet her father, 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

JANUARY 7, 2026

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