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

+ **CRL.M.C. 332/2024**

KAMRAN @ RAJA AND ORS

..... Petitioners

Through: Mr. Dhruv Dwivedi, Mr. Bonny Mehra and Mr. Nadeem Khan, Adv.
with petitioners in person.

versus

STATE OF (NCT OF DELHI)

..... Respondent

Through: Mr. Raj Kumar, APP for State with SI
Sohan Thakur PS Jyoti Nagar with
respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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15.01.2024

CRL.M.A. 1280/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 332/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.186/2012 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Jyoti Nagar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits



that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioner no.1 (former husband), petitioner no. 2 – 6, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by the petitioner's counsel, as well as, by the Investigating Officer SI Sohan Thakur PS Jyoti Nagar.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.07.2008 according to Muslim Rites and Customs. Out of the said wedlock, two children namely, Mohd. Kaif and Afrin were born.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 01.08.2011. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Delhi Government Mediation & Conciliation Centre where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement report, which is annexed as Annexure 3 to the present petition.

9. It is recorded in the settlement that both parties admits to the pronouncement of *talaq* in the presence of their family members as per the Muslim Shariat Law in three consecutive months and there is no dispute regarding the *talaq*.

10. It is also a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.1,00,000/- to the respondent no.2 towards full and final settlement of all claims of the respondent no. 2 on



account of maintenance (past, present and future), *maher*, alimony etc. Out of the said amount, a sum of Rs. 50,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs. 50,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1.

11. The receipt of entire amount of Rs.1,00,000/- is acknowledged by the respondent no.2, who is present in court. She also affirms that *talaq* has been pronounced in terms of the Muslim Shariat Law.

12. The respondent no.2, on a query put by the Court, also states that she has no objection in case the FIR is quashed.

13. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

14. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

15. Consequently, the petition is allowed and the FIR No.186/2012 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Jyoti Nagar, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

17. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 15, 2024/N.S. ASWAL