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

+ **CRL.M.C. 803/2024**

SAJID & ORS.

..... Petitioners

Through: Mr Alok Kumar Rai and Ms Neetu Rai and Mr Jaipal, Advocates along with petitioners in person.

versus

STATE OF N.C.T. DELHI & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State with SI Ranjana, PS Bindapur.
Mr Rajeshwar Dagar, Mr Ravinder Hooda and Ms Manjula Khatri, Advocates for R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

01.02.2024

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CRL.M.A. 3220/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 803/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0661/2021 under Sections 498A/406/34 IPC registered at Police Station Mohan Garden and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

3. 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.

4. The petitioner no.1 (former husband) and petitioner nos.2 to 4, who are close relatives of the petitioner no.1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Ranjana, PS Bindapur.

5. The brief facts of the case are that marriage between the petitioner no.1 and respondent no. 2 was solemnized on 12.03.2021 according to Muslim Rites and Customs. Out of the said wedlock, one female child Baby Mahenoor was born, who is in the care and custody of the respondent no.2.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 24.09.2021. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to Mediation Centre, Dwarka Courts, New Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 02.08.2023, a copy of which is annexed as Annexure P-3 to the present petition.

8. In terms of the said settlement, the respondent no.2 (former wife) agreed to give no objection for divorce/talaq declared in the favour of the petitioner no.1 (former husband) and the parties further agreed that they will pray for decree of divorce. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 15.09.2023, a copy of which is annexed as Annexure P-4 to the present petition.

9. It is a term of the settlement between the parties that the petitioner



no.1 shall pay a total sum of Rs.4 lakhs to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance, mehar (past, present and future) etc. Out of the said amount, a sum of Rs.2 lakhs 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. 2 lakhs has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.424203 dated 13.01.2023 issued by State Bank of India.

10. The receipt of entire amount of Rs.4 lakhs is acknowledged by the respondent no.2, who is present in court.

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

12. 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.

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

14. Consequently, the petition is allowed and the FIR No.0661/2021 under Sections 498A/406/34 IPC registered at Police Station Mohan Garden alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 1, 2024/MK