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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 806/2024**
AASH MOHAMMAD AND ORS. Petitioners
Through: Appearance not given.

versus

STATE OF DELHI NCT AND ANR. Respondents
Through: Mr. Ritesh Kumar Bahri, APP for
State with SI Mahendra Patel, PS.
Narela.
Mr. Sahil Giri, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
01.02.2024

CRL.M.A. 3249/2024 (exemption)

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

CRL.M.C. 806/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.875/2013 under Sections 498A/406/34 IPC registered at Police Station Narela 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) and the petitioner nos. 2 to 4,



who are the 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 counsel and by the Investigating Officer SI Mahendra Patel, PS. Narela.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 29.03.2009, according to Muslim Rites and Customs. Out of the said wedlock, one girl child, namely, Ayesha was born, who is presently in the care and custody of the respondent no.2/mother.

7. On account of temperamental differences certain disputes arose between the parties and they started living separately w.e.f. April, 2011. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed/Memorandum of Understanding (MoU) dated 08.11.2023, which is annexed as Annexure P-2 to the present petition.

9. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 03.01.2015, which is annexed as Annexure P-3 to the present petition.

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

11. 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.



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

13. Consequently, the petition is allowed and the FIR No.875/2013 under Sections 498A/406/34 IPC registered at Police Station Narela alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 1, 2024/dss