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

+ **CRL.M.C. 1273/2024**

SAJID AHMED & ORS.

..... Petitioners

Through: Mr Natwar Rai and Mr B. K. Gautam,
Advocates along with petitioners in
person.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Chhote Lal, Police Station
Wazirabad, Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.02.2024

CRL.M.A. 5013/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 1273/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0083/2020 under Sections 498A/406/34 IPC registered at Police Station Wazirabad, Delhi 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 7, 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 the Investigating Officer SI Chhote Lal, Police Station Wazirabad, Delhi.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 29.09.2014 according to Muslim Rites and Customs. Out of the said wedlock, one male child, namely, Rahil Ahmed 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 since June, 2018. 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 Delhi Mediation Centre, Tis Hazari Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 20.07.2023, which is annexed as Annexure P-4 to the present petition.

8. It has been agreed in the settlement that the petitioner no.1 and the respondent no.2 have voluntarily dissolved their marriage *vide* Divorce Deed/Talaq-E-Mubarrat (with Mutual Consent) on 22.02.2022 and since then the parties have never cohabited and met with each other. A copy of the Divorce Deed is annexed as Annexure P-3 to the present petitioner.

9. It is also a term of the settlement that the respondent no.2 shall cooperate with the petitioner for the quashing of the aforesaid FIR. The parties have mutually arrived at a settlement without any monetary consideration.



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.0083/2020 under Sections 498A/406/34 IPC registered at Police Station Wazirabad, Delhi 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 16, 2024
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