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

+ **CRL.M.C. 1376/2024**

WASEEM AND ORS

.....Petitioners

Through: **Mr. Jitender Kumar, Advocate.**

versus

THE STATE AND ANR NCT OF DELHI

.....Respondent

Through: **Mr. Satinder Singh Bawa, APP for
State with SI Nitesh Mahiya,
P.S.S.P.Badli.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.09.2024

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1. The Petition under Section 482 of the Cr.P.C has been filed on behalf of the petitioners, seeking to quash the FIR No. 471/2004 for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station S.P.Badli, Delhi.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. Brief facts of the case are that the marriage was solemnized between the petitioner No.1 and respondent No. 2 on 27.04.2001, according to the Muslim rites and ceremonies.
5. It is stated that due to intervention of their well-wishers and



family members of both the parties, the matter has been amicably settled *vide* Settlement Deed dated 16.01.2024.

6. It is on query the parties have submitted that because of their disputes they have lived separately for about five years but have been living together since 2009 and there are no disputes and there is absolute harmony.

7. In view of the Settlement Deed dated 16.01.2024, the present Petition has been filed.

8. Petitioner No.7, Nabi Ahmad is admitted in hospital and petitioner No.3, Allabaksh has since died. All other remaining parties are present before this Court in-person today and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 16.01.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

10. The present petition has been signed by the petitioner and is supported by his affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 16.01.2024 and they also submit that the said Settlement Deed dated 16.01.2024 has been arrived at between the parties, without any pressure and coercion.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no



useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

12. Moreover, there is no legal impediment in quashing the FIR in question. It is however, made clear that the settlement between the parties *vide* Settlement Deed dated 16.01.2024 is without prejudice to the rights and entitlement of the child.

13. Accordingly, FIR No. 471/2004 for the offence under Section 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station S.P.Badli, Delhi and all consequential proceedings emanating therefrom are quashed.

14. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024

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