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

+ **W.P.(CRL) 709/2024**

WASIM AKIL & ORS.

..... Petitioners

Through: Mr. Z.R. Shamsi and Mr. Afsar Ali,
Advts.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Amol Sinha, ASC for State with
SI Neeraj PS Seelampur
Mr. F.A. Banisrael, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
24.04.2024

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CRL.M.A. 6626/2024 (exemption)

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

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3. The present petition has been filed seeking quashing of FIR No.93/2018 under Sections 498A/406/34 IPC and under Section 4 of Dowry Prohibition Act registered at Police Station Seelampur and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned ASC 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) is present in Court whereas petitioners no.2 to 4 who are close relatives of petitioner no.1 as well as respondent no.2 (former wife) have joined through VC and have been identified by the respective counsel as well as by the IO.

6. The case in brief is that the petitioner no.1 was married to respondent no.2 as per Muslim rites on 02.11.2015.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 05.06.2016. 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 Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 26.09.2023, which is annexed as Annexure D to the present petition.

9. It is the term of the settlement that the parties shall take divorce as per Muslim law/Shariat law on or before 16.12.2023.

10. Learned counsel for the parties submit that the divorce between petitioner no.1 and respondent no.2 has already taken place as per Muslim law. As per the term of the settlement respondent no.2 has given up all her claims with regard to Mehar amount, permanent alimony, dowry articles, maintenance (past, present and future) etc. It is also recorded in the settlement that respondent no.2 shall cooperate with the petitioners for the quashing of the FIR.

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. 93/2018 under Sections 498A/406/34 IPC and under Section 4 of Dowry Prohibition Act registered at Police Station Seelampur 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

APRIL 24, 2024

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