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

+ **W.P.(CRL) 713/2024**

WASEEM & ANR.

..... Petitioners

Through: Mr. Sanjay Tripathi, Advocate along
with petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with SI Shivam, P.S. Madhu
Vihar, Delhi.
Ms. Rekha Sinha, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

01.03.2024

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CRL.M.A. 6669/2024 (exemption)

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

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3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) has been filed by the petitioners praying for quashing of FIR bearing No.0037/2021 registered at Police Station Madhu Vihar, Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (IPC).
4. Notice. Mr. Anand V. Khatri, learned APP accepts notice on behalf of



the State.

5. Briefly stated that facts of the case are that the respondent no.2 was married with petitioner no.1 on 20.10.2014 in accordance with Muslim rites and customs. From the said wedlock of the petitioner no. 1 and respondent no.2 one baby female child namely Salika was born who is now aged about 8 years, who is in the care and custody of the respondent no.2. Due to matrimonial disputes and temperamental differences, the petitioner no. 1 and respondent no.2 could not stay together and started living separately since 02.09.2019 and the same resulted in lodging of the FIR in question.

6. All the petitioners are present before this Court and have been identified by their counsel Mr. Sanjay Tripathi and Investigating Officer (IO) SI Shivan from Police Station Madhu Vihar, Delhi.

7. On the query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties vide Memorandum of Settlement dated 30.11.2023 entered into between them.

8. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, stridhan, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner No.1 and other family members.

9. The petitioner no.1 had already paid a sum of Rs.6,00,000/- to Respondent No.2 by way of Demand Draft before the court of learned Principal Judge, Family Court (North East), Karkardooma Courts, Delhi. As per the terms of settlement, the balance amount of Rs.1,50,000/- has been



paid by petitioners to respondent no.2.

10. Today, the complainant who is present in Court states that she has received the balance amount of Rs.1,50,000/- by way of two demand drafts bearing No.952658 for a sum of Rs.1,20,000/- drawn on Canara Bank, Sarai Chabla and DD No.005823 for a sum of Rs.30,000/- drawn on IDBI Bank, D.M. Colony Road, Bulandshahr, Uttar Pradesh – 203001 and has no objection if the FIR is quashed.

11. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

12. Accordingly, FIR bearing No.0037/2021 registered at Police Station Madhu Vihar, Delhi for offences punishable under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

13. The petition stands disposed of.

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 1, 2024/hs

Click here to check corrigendum, if any