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

+ **W.P.(CRL) 756/2024**

MOHD. ATHAR & ORS.

..... Petitioners

Through: Ms. Khushbu Singh, Adv. with
petitioners in person.

versus

GOVT OF NCT DELHI & ANR.

..... Respondents

Through: Ms. Nandita Rao, ASC for State with
Mr. Amit Peswani, Adv. with W/SI
Anita PS J. Puri, Delhi
Mr. Gautam, Adv. with respondent
no. 2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER
29.04.2024**

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1. The present petition has been filed under article 226 of Constitution of India read with Section 482 CrPC seeking quashing of FIR No.91/2021 under Sections 498A/406/34 IPC registered at Police Station Jahangir Puri, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.



3. The petitioner no.1 (former husband), petitioner nos. 2 – 5, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by their respective counsel and by the Investigating Officer with W/SI Anita PS Jahangir Puri, Delhi.
4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 30.07.2016 according to Muslim Rites and Customs. Out of the said wedlock, one male child was born, who is in the care custody of the respondent no. 2.
5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. year 2017. The dispute between the parties also led to the registration of present FIR.
6. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 12.11.2021, which is annexed as Annexure P2 to the present petition.
7. The respondent no. 2, who is present in Court affirms the factum of settlement.
8. She submits that she has waived off all her monetary claims with regard to the maintenance towards full and final settlement of all her claims on account of permanent alimony, dowry articles, maintenance (past, present and future) etc.
9. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.
10. 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.



11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
12. Consequently, the petition is allowed and the FIR No.91/2021 under Sections 498A/406/34 IPC registered at Police Station Jahangir Puri, Delhi alongwith all other proceedings emanating therefrom, is quashed.
13. The petition stands disposed of in the above terms.
14. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

APRIL 29, 2024

N.S. ASWAL