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

+ **CRL.M.C. 2152/2024**

WALI MOHD. & ORS.

..... Petitioners

Through: Mr Gaurav Malhotra, Ms Purna Kumpavat and Ms Bhavana, Advocates along with petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Ms Meenakshi Dahiya, APP for the State with ASI Paras Ram, PS Aman Vihar and SI Anil Dahiya, PS Vijay Vihar.
Respondent no.2 in person.

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

ORDER
18.03.2024

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CRL.M.A. 8355/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 2152/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0718/2018 under Sections 354/ 354(A)/354(B) 323/ 342/506/34 IPC registered at Police Station Vijay Vihar 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. She



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 4, who are closed 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 ASI Paras Ram, PS Aman Vihar and SI Anil Dahiya, PS Vijay Vihar.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 07.01.2018 according to Muslim Rites and Customs. No child was born out of the said wedlock.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately since August, 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 Counselling Cell, Family Courts, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 13.12.2023, which is annexed as Annexure-A/3 to the present petition.

8. It is mentioned in the settlement that the parties shall take divorce in accordance with Muslim Law. Accordingly, the parties have executed a *talaqnama* dated 13.12.2023, a copy of which has been handed over in the Court and the same is taken on record. The factum of *talaq* (divorce) is also affirmed by the respondent no.2, who is present in Court.

9. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.7,31,000/- to the respondent no.2 towards full and final settlement of all her claims on account of mehar, maintenance,



streedhan, permanent alimony, dowry articles, maintenance (past, present and future) etc. Out of the said amount, a sum of Rs.5,81,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.1,50,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.004033 dated 08.02.2024 issued by AXIS Bank, Sector-3, Rohini.

10. The receipt of entire amount of Rs.7,31,000/- is acknowledged by the respondent no.2. 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.0718/2018 under Sections 354/ 354(A)/354(B) 323/ 342/506/34 IPC registered at Police Station Vijay Vihar 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

MARCH 18, 2024

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