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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2586/2024
MOHD SAKIR @ SHAKIR @ MD. SAKIR & ORS..... Petitioners
Through: Mr. Shailender Negi, Adv.
versus

STATE & ANR. Respondents
Through: Mr. Raj Kumar, APP for State with SI
Mahendra Patel, PS. Narela.
Mr. Amit Gautam, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
02.04.2024

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.11/2017 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Narela (Rohini) 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) and the petitioner nos. 2 to 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 SI Mahendra Patel, PS. Narela.
4. The brief facts of the case are that the marriage between the petitioner



no.1 and respondent no. 2 was solemnized on 30.09.2013 according to Muslim Rites and Customs. No child was born out from the said wedlock.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 16.06.2016. 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 Memorandum of Understanding/Settlement Deed dated 20.07.2023, which is annexed as Annexure C to the present petition.

7. In terms of the said settlement, the parties decided to dissolve their marriage by as per Muslim Shariat Law. Accordingly, the petitioner no.1 and respondent no.2 were divorced on 04.01.2017.

8. The respondent no.2 got re-married on 15.01.2020 and has given birth to a child from her second marriage.

9. It is also a term of the settlement between the parties that the respondent no.2 has received all her dowry articles and now no claim, whatsoever, of the respondent no.2 is left from the petitioner no.1. This fact is affirmed by the respondent no.2, who is present in Court.

10. 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.11/2017 under



Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Narela (Rohini) 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

APRIL 2, 2024/dss