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

+ **CRL.M.C. 3515/2024 & CRL.M.A. 13500/2024**

IMRAN ALI & ORS.

..... Petitioners

Through: Mr. Ali Mushtaq Nawazish and Ms.
Shefali Jain, Advocates

versus

THE STATE GOVT OF NCT OF DELHI

& ANR.

..... Respondents

Through: Mr. Hitesh Vali, APP for the State
with IO, P.S. Jagatpuri.
Mr. Rizwan Ahmed, Advocate for
complainant along with complainant.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

03.05.2024

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CRL.M.A. 13501-02/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

CRL.M.C. 3515/2024 & CRL.M.A. 13500/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking quashing of FIR bearing no. 116/2023, registered at Police Station Jagatpuri, Delhi for the offences punishable under Sections 498A/354/377/34 of the Indian Penal Code, 1860 ('IPC') and Section 4 of the Muslim Women (Protection of Right on Marriage) Act, 2019 and all consequential



proceedings emanating therefrom.

4. Issue notice. Mr. Hitesh Vali, learned APP accepts notice on behalf of State.

5. Petitioner no. 1 is appearing through Video Conferencing (VC) and petitioner no. 2 to 4 are present before this Court and have been identified by their counsel Mr. Ali Mushtaq Nawazish and Investigating Officer (IO) from Police Station Jagatpuri, Delhi.

6. Brief facts of the present case are that the marriage between petitioner and respondent no. 2 was solemnized on 07.08.2020 as per Muslim rites and ceremonies. No child was born out of the said wedlock. It is stated that due to temperamental differences which had arisen between the parties, both the parties started living separately from each other since 28.06.2021. On the complaint of respondent no. 2, the present FIR bearing no. 116/2023 was registered at Police Station Jagatpuri, Delhi against the petitioners for offences punishable under Sections 498A/354/377/34 and Section 4 of the Muslim Women (Protection of Right on Marriage) Act, 2019. It is stated that during the pendency of the case, both the parties have amicably settled all their disputes *vide* Settlement Agreement dated 11.10.2023 and dissolved their marriage by way of mutual consent.

7. On a 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* Settlement Agreement dated 11.10.2023.

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. Respondent no. 2 further stated that she has no objection, if the FIR is quashed.

9. The petitioner no. 1 had paid a sum of Rs. 2,50,000/- in three installments in the following manner:

- a. First installment of Rs. 50,000/- paid to respondent no. 2 in the first motion petition.
- b. Second installment of Rs. 1,00,000/- paid to respondent no. 2 at the time of second motion petition.
- c. Third /Final instalment of Rs. 1,00,000/- to be paid at the time of quashing of the FIR before the Hon'ble High Court at New Delhi.

10. Today, the complainant who is present in Court states that she has received the last and final instalment of Rs. 1,00,000/- today, i.e., 03.05.2024 vide DD No. 202878 drawn on State Bank of India 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. 116/2023, registered at Police Station Jagatpuri, Delhi for the offences punishable under Sections 498A/354/377/34 of IPC and Section 4 of the Muslim Women (Protection of Right on Marriage) Act, 2019 and all consequential proceedings emanating



therefrom are quashed.

13. In view of above, the petition along with pending application stands disposed of.

14. The order be uploaded on the website forthwith.

MAY 3, 2024/zp

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any