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

+ **CRL.M.C. 3669/2024**

MOHD USMAN AND ORS

..... Petitioners

Through: Mr Rajeev Khanna and Mr Z.
Abdeen, Advocates along with
petitioners in person.

versus

THE STATE OF DELHI AND ANR

..... Respondents

Through: Mr Raj Kumar, APP for the State
with SI Harsh, PS Nabi Karim.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

08.05.2024

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CRL.M.A. 14063/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3669/2024

2. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0374/2018 under Sections 498A/406/34 IPC registered at Police Station Nabi Karim 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. 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.

4. The petitioner no.1 (former husband) and petitioner nos.2 to 7, who



are close 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 their respective counsel and by the Investigating Officer SI Harsh, PS Nabi Karim.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 27.01.2013 according to Muslim Rites and Customs. Out of the said wedlock, two children, namely, Ms Rukayya Parveen and Master Mohd. Amir were born, who are in the care and custody of the respondent no.2.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately. 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 Delhi Mediation Centre, Tis Hazari Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 22.12.2023, a copy of which is annexed at page 57 to the present petition.

8. In terms of the said settlement, the parties decided to file a petition for quashing of the aforesaid FIR.

9. In the settlement, the parties have undertaken to abide by the terms and conditions of the settlement.

10. It has also been agreed between the parties that the respondent no.2 shall cooperate with the petitioners in quashing of the FIR.

11. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.2,87,500/- to the respondent no.2 towards full and final settlement of all her claims on account of *streedhan*,



permanent alimony, dowry articles, maintenance (past, present and future) etc. The entire settlement amount has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement.

12. The receipt of entire amount of Rs.2,87,500/- is acknowledged by the respondent no.2, who is present in court.

13. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.

14. 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.

15. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

16. Consequently, the petition is allowed and the FIR No.0374/2018 under Sections 498A/406/34 IPC registered at Police Station Nabi Karim alongwith all other proceedings emanating therefrom, is quashed.

17. The petition stands disposed of in the above terms.

18. Order be uploaded on the website of this court.

MAY 8, 2024
MK

VIKAS MAHAJAN, J