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

+ **CRL.M.C. 4780/2024**

AFTAB ALAM @ MOHAMMAD AFTAB & ORS..... Petitioners

Through: Ms. Garima Jindal, Mr. Tushar Mittal
and Mr. Govind, Advs.
Petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR..... Respondents

Through: Mr. Hitesh Vali, APP for State with
SI Ajit PS Gokulpuri
Respondents in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

31.05.2024

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CRL.M.A. 17880/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 4780/2024

3. The present petition has been filed under Article 227 of Constitution of India and Section 482 CrPC seeking quashing of FIR No.458/2016 under Sections 498A/406/34 IPC registered at Police Station Gokul Puri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. 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.

5. The petitioner no.1 (husband), petitioner nos. 2 – 6, who are close relatives of petitioner no. 1, as well as, respondent no. 2 (wife) are present in the Court and they have been identified by learned counsel for the petitioner and by the Investigating Officer SI Ajit PS Gokulpuri.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 27.03.2012 according to Muslim Rites and Customs. Out of the said wedlock, one girl child, namely, Arib Fatima was born.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 27.08.2012. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 01.12.2017, which is annexed as Annexure C to the present petition.

9. It is a term of the settlement that with the intervention of the family members and considering the future of their child and family, the parties have amicably settled their disputes and started living together.

10. It has been agreed between the parties that they shall cooperate with each other in all possible manner and they shall fulfil all their duties and responsibilities towards each other and their family members.

11. The respondent no.2, on a query put by the Court, affirms the fact that the parties are living together as husband and wife and states that she has no objection in case the FIR is quashed.



12. 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.

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

14. Consequently, the petition is allowed and the FIR No.458/2016 under Sections 498A/406/34 IPC registered at Police Station Gokul Puri alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

MAY 31, 2024
N.S. ASWAL