



\$~108 & 109

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

+ **CRL.M.C. 5653/2024 & CRL.M.A. 21581/2024**

JAVED ALAM

.....Petitioner

Through: Mr. Chandan Prajapati (En. No. D/10333/2022) and Mr. Ashish Tilwani, Advocates with Petitioner-in-person

versus

STATE THE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State SI Priyanta, PS Jahangir Puri
Mr. Ankur Kashyap (D/4118/2022), Advocate for R-2 with Respondent No.2 in-person.

+ **CRL.M.C. 5655/2024 & CRL.M.A. 21585/2024**

JAVED ALAM & ORS.

.....Petitioners

Through: Mr. Chandan Prajapati (En. No. D/10333/2022) and Mr. Ashish Tilwani, Advocates with Petitioners-in-person

versus

STATE THE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State SI Priyanta, PS Jahangir Puri
Mr. Ankur Kashyap (D/4118/2022), Advocate for R-2 with Respondent No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD



ORDER

25.07.2024

%

1. CRL.M.C. 5653/2024 has been filed for quashing FIR No.517/2019 dated 19.10.2019 registered at Police Station Jahangir Puri for an offence under Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 and CRL.M.C. 5655/2024 has been filed for quashing FIR No.559/2019 dated 16.11.2019 registered at Police Station Jahangir Puri for offences under Section 498A, 406, 506 & 34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of the matrimonial disputes between the parties.

2. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 03.02.2024 before Delhi Mediation Centre, Rohini District Courts, Delhi. As per the settlement agreement, the Petitioner/husband has agreed to pay a sum of Rs.6,00,000/- to the Complainant/wife towards full and final settlement of all her claims in the following manner:-

- i. A sum of Rs.2,00,000/- was to be paid on or before 03.03.2024.
- ii. A sum of Rs.2,00,000/- was to be paid on or before 19.04.2024.
- iii. A sum of Rs.2,00,000/- was to be paid at the time of quashing of the FIR.

3. The Petitioners and Respondent No.2/Complainant are present in Court today. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant has also filed an affidavit affirming the fact that all her disputes with the Petitioners have



been amicably settled. She has been paid the remaining sum of Rs.2,00,000/- in Court today. She states that she has received the entire amount and settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence. The parties have also agreed that the child will remain with the mother, i.e., Respondent No.2 herein.

4. Considering the fact that the disputes are purely private in nature and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303.

5. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, the FIR No.517/2019 dated 19.10.2019 registered at Police Station Jahangir Puri for an offence under Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 & FIR No.559/2019 dated 16.11.2019 registered at Police Station Jahangir Puri for offences under Section 498A, 406, 506 & 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

6. The petitions stand disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 25, 2024

hsk