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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8550/2023**

VASIM@WASIM & ANR.

..... Petitioners

Through: Mr. R.K. Gupta, Advocate with
petitioners in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Neha, P.S. Gokalpuri.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.02.2024

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CRL.M.A. 31923/2023 (E/copy)

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

CRL.M.C. 8550/2023

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 195/2018 registered under Sections 498-A/406/34 IPC and Section 3/4 of the Dowry Prohibition Act at P.S. Gokulpuri, Delhi on the ground that the parties have amicably settled their disputes.
2. The present FIR is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and petitioner No. 1 (husband) and whereas petitioner No. 2 is mother-in-law of the complainant. It is informed



that Mohd. Idrish, father in law of the complainant who has been named in the FIR, has expired.

3. Mr. Sanjeev Sabharwal, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the complainant/victim.

4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Settlement Deed on 16.01.2023 [Annexure-B (colly)]. In terms of the settlement, the parties have agreed that they had already parted their ways by taking divorce as per Muslim Personal Law. It was agreed that a sum of Rs.12,00,000/- as full and final settlement shall be paid by petitioner No.1 to respondent No.2 towards her claims qua maintenance, mehar amount, iddat expenses, permanent alimony, etc. It is further submitted that out of the settled amount of Rs.12,00,000/-, remaining balance amount of Rs.3,00,000/- is being paid today through a demand draft bearing no.451335 dated 24.08.2023 drawn on Central Bank of India, Branch 3915, a photocopy of which has been placed on record.

5. It is further informed by the learned counsel for the petitioner that there is a minor child out of the wedlock. Learned counsel states that the rights of the minor child shall remain unaffected by the terms of the settlement and an affidavit in this regard has been placed on record.

6. The petitioner no.1 undertakes that the rights of the minor child/daughter namely Aiza shall remain unaffected by the aforesaid settlement arrived at between the parties.

7. Petitioners, who are present in Court, have been identified by I.O./SI Neha, P.S.Gokalpuri, Delhi.

8. Respondent No. 2, who is also present in Court and identified by the



I.O., states that she has settled her disputes with petitioner No.1 of her own free will, volition and without any coercion. She also acknowledges the receipt of entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.3,00,000/- handed over to her today.

9. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

10. The parties shall remain bound by the statements and undertaking made in Court today.

11. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to encashment of aforesaid demand draft of Rs.3,00,000/-.

12. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

FEBRUARY 16, 2024/kct