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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6193/2024, CRL.M.A. 23662/2024**
IMRAN KHAN & ORS.

.....Petitioner
Through: Mr. Narender Kumar and Mr. Rahul
Sharma, Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondent
Through: Mr. Satinder Singh Bawa, Ld. APP
for the State.
Mr. Prithvi G. Nair and Manish
Kumar Shukla, Advocates.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
09.08.2024

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1. The Petition under Section 528 of BNSS has been filed on behalf of the petitioners, seeking to quash the FIR No. 0023/2021, registered under Sections 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Crime (Women) Cell, Nank Pura.
2. Issue notice.
3. Mr. Satinder Singh Bawa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.
4. Brief facts of the case are that on the complaint of respondent No.2/wife FIR was registered against the petitioners and challan was filed in the Court. The learned Trial Court referred the matter to the Mediation



Centre, Saket Courts wherein the parties arrived at a Settlement dated 09.09.2022 pursuant to which they settled all their disputes and agreed to dissolve their marriage by taking *talaq* under Muslim Shraiyat Law/Talaq Mubarat. The petitioner No.1 also agreed to pay a sum of Rs.3,25,000/- towards full and final settlement for past, present and future maintenance of respondent No.2. It was agreed that the petitioner No.1 will pay the sum of Rs.3,25,000/- by way of Demand Draft on 27.11.2022 before the Court. It was agreed that after receiving the settlement amount, the respondent No.2 shall withdraw the execution and shall cooperate in quashing of FIR.

5. It is also stated that as per Settlement dated 09.09.2022 the petitioner No.1 has paid Rs.3,25,000/- to the respondent No.2 and the petitioner No.1 and respondent No.2 have taken *Talaq* according to Mslim Law and a *Talaqnama* had duly been executed. It is further stated that petitioner No.1 and respondent No.2 after taking Talaq have remarried and are presently settled in their new families.

6. In view of the Settlement dated 09.09.2022, the present petition has been filed.

7. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

8. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 09.09.2022 and thus, no fruitful purpose will be served in continuing with the FIR.

9. The present petition has been signed by all the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement dated 09.09.2022 and they also submit that the said Settlement dated 09.09.2022 has been arrived at



between the parties without any pressure and coercion.

10. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

12. Moreover, there is no legal impediment in quashing the FIR in question.

13. Accordingly, FIR No. 0023/2021 for the offence punishable under Sections 406/498A/34 of IPC, 1860, registered at Police Station Crime (Women) Cell, Nanak Pura and all consequential proceedings emanating therefrom are quashed.

14. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 9, 2024/va