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

+ **CRL.M.C. 6637/2024**

MOHAMMAD ARIF & ORS.

.....Petitioners

Through: Mr. Akhtar Shamim, Advocate (D-157/96) with Petitioners-in-person

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
SI Hanspreet Singh (D-6119)
alongwith SI Jyoti (D-3276), P.S:
Timarpur.
Mr. Hitesh Aggawal, Advocate (D-4842/16) for R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **27.08.2024**

CRL.M.A. 25352/2024 (Exemption)

Allowed, subject to all just exceptions.

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1. The Petitioners have approached this Court for quashing FIR No.09/2023 dated 07.01.2023 registered at Police Station Timarpur for offences under Sections 498A, 406 & 34 IPC on the ground that the parties have entered into an amicable settlement. The present proceedings arise out of 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

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agreement dated 16.04.2024 before the Delhi Mediation Centre, Tis Hazari Courts, New Delhi. As per the settlement agreement, the Petitioner No.1/husband has agreed to pay a sum of Rs.1,00,000/- to Respondent No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.30,000/- was to be paid at the time of first talaq as per Muslim rites and customs.
 - b. A sum of Rs.30,000/- was to be paid at the time of second talaq as per Muslim rites and customs.
 - c. The remaining sum of Rs.40,000/- was to be paid at the time of quashing of the instant FIR.
3. A sum of Rs.40,000/- in cash has been handed over to Respondent No.2 in Court today by the learned Counsel for the Petitioners as the same is within the permissible limits under the Income Tax Act.
4. 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 the disputes with the Petitioners have been amicably settled. She states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.
5. Considering the fact that the disputes are matrimonial 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. 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, FIR No.09/2023 dated 07.01.2023 registered at Police Station Timarpur for offences under Sections 498A, 406 & 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. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 27, 2024
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