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

+ CRL.M.C. 9326/2023

NURULZAMA & ORS.

..... Petitioners

Through: Mr. S. Tabrez, Advocate with
petitioners in person.

versus

THE STATE OF DELHI NCT OF DELHI

..... Respondent

Through: Ms. Manjit Arya, APP for State with
Inspector Rajiv, PS Mangolpuri.
Mr. Pankaj Kumar, Mr. Akhilesh
Kumar Pandey, Mr. Manoj Kumar,
Mr. Bikramaditya Kumar, Mr.
Sajinder Ram, Mr. B.P. Gautam and
Ms. Manisha, Advocates for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **18.01.2024**

1. The present petition has been filed under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 320/2012 registered under Sections 498-A/406/34 IPC at P.S. Mangol Puri, 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 petitioner Nos. 2 and 3 are father-in-law and mother-in-law of the complainant respectively.
3. Ms. Manjit Arya, learned APP for the State submits that in the present case, petitioners are the only accused persons and respondent No. 2 is the



only complainant/victim.

4. Learned counsel for the petitioners submits that the parties have settled their disputes by way of Settlement Agreement dated 10.08.2023 before the Delhi Mediation Centre, Rohini District Courts, New Delhi. 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.6,50,000/- 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.6,50,000/-, remaining balance amount of Rs.3,00,000/- is being paid today through a demand draft bearing number 068526 drawn on Bank of Baroda, Dr. Ram Manohar Lohia Hospital, New Delhi-110001, a photocopy of which has been placed on record.

5. It is further informed by the counsel for the petitioner that out of the wedlock of the parties there are 2 minor children/daughters. He states that petitioner has filed an affidavit in terms of the decision of the Supreme Court in Ganesh v. Sudhirkumar Shrivastava and Others 2019 SCC OnLine SC 1107 stating that the rights of the minor children will remain unaffected by the terms of the settlement.

6. Petitioners and Respondent No.2, who are present in Court, have been identified by their counsel and the concerned IO/ Inspector Rajiv, P.S. Mangolpuri.

7. Respondent No. 2 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. Affidavit of Respondent No.2 has been placed on record. The copy of the gate pass and Aadhar Card of the respondent No.2 is taken on record.

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

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

10. 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 lac.

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

MANOJ KUMAR OHRI, J

JANUARY 18, 2024/rd