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

+ **CRL.M.C. 123/2024**

ABID & ANR.

..... Petitioners

Through: **Mr. Rishi Malhotra, Advocate**

versus

STATE & ANR.

..... Respondents

Through: **Mr. Satish Kumar, APP for the State
with IO, P.S. Dariya Ganj.
Mr. Anirudh Aggarwal, Advocate for
the complainant along with
complainant.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

08.01.2024

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CRL.M.A. 520/2024 (exemption)

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

CRL.M.C. 123/2024

3. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed by the petitioners seeking quashing of FIR bearing no. 136/2014, registered at Police Station Dariya Ganj, New Delhi for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') and all consequential proceedings emanating therefrom.
4. Petitioners are present before this Court and have been identified by



their counsel Mr. Rishi Malhotra and Investigating Officer (IO) from Police Station Dariya Ganj, New Delhi.

5. Brief facts of the case are that the marriage between the petitioner no. 1 and respondent no. 2 was solemnized on 14.10.2009 as per Muslim rites and ceremonies. No child was born out of the said wedlock. It is stated that due to temperamental differences, both the parties have been living separately since August, 2013 and respondent no. 2 has been residing at her new matrimonial home as she already got married to someone else. On the complaint of respondent no. 2, the present FIR bearing no. 136/2014, was registered at Police Station Dariya Ganj, New Delhi for offences punishable under Sections 498A/406/34 of IPC against the petitioners.

6. It is stated that the entire dispute has been amicably settled between the parties before Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* Settlement Deed dated 19.11.2019.

7. On a query made by this Court, respondent no.2 (through VC) who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between the parties before Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* Settlement Deed dated 19.11.2019. Respondent no. 2 further stated that she has no objection if the FIR is quashed.

8. It is submitted that respondent no.2 has settled all her claims in respect of her dowry articles, stridhan, marriage expenses, jewellery, gift items and claims of past, present and future maintenance and permanent alimony with petitioner no.1 and other family members.

9. In view of the above fact that the parties have amicably resolved their



differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 136/2014, registered at Police Station Dariya Ganj, New Delhi for offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 8, 2024/zp

[Click here to check corrigendum, if any](#)