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

+ **CRL.M.C. 7198/2024**

IMRAN

.....Petitioner

Through: Mr. Vijender Kumar, Advocate with
petitioner in person.

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Satinder Singh Bawa, APP with
Ms. Sunpreet Singh, Advocate for
State.

Mr. Satish Kumar & Ms. Anita
Kumar, Advocates for R-2 with R-2
in person.

S.I. Sunder Singh, PS Nangloi, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **11.09.2024**

CRL.M.A. 27491/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 7198/2024

3. The present Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner seeking to quash the FIR No. 0229/2019 registered under Section 498A of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Nangloi, Delhi.

4. Brief facts of the case are that the marriage was solemnized between petitioner and respondent No. 2 on 28.09.2010 according to Muslim rites and ceremonies and four children were born from the said wedlock.

5. It is further submitted that in the year 2019, on the complaint of



respondent No. 2, an FIR bearing No. 0229/2019 under Section 498A of the IPC, 1860 got registered at Police Station Nangloi, Delhi, which is pending before the learned Trial Court Delhi.

6. It is also submitted that during the pendency of the matter, the petitioner and the respondent No. 2 have settled all the disputes and differences between them in Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* Settlement Agreement dated 08.12.2023 which *inter alia* states that: -

- (i) That the parties have resolved all their misunderstanding and have decided to continue living together along with their children at the matrimonial home,
- (ii) That the petitioner undertakes to maintain the respondent and the children and bear all the household expenses of the family,
- (iii) That the parties have agreed to approach this Court for quashing of the present FIR and the respondent shall cooperate the petitioner in getting the FIR quashed by giving her statement/NOC,
- (iv) That the parties shall live peacefully and harmoniously and perform their matrimonial obligations and shall not quarrel/abuse,
- (v) That the parties shall remain bound by the terms of the settlement.

7. In view of the Settlement Agreement dated 08.12.2023, the present petition has been filed.

8. The petitioner and the respondent No. 2/wife are present in person in the Court today, and they have been identified by their counsel and Investigating Officer concerned.

9. It is further submitted that the parties have settled all the disputes and



differences between them and have been living happily from January, 2023.

10. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Agreement dated 08.12.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

11. The present petition has been signed by the petitioner and is supported by his affidavit. The parties have endorsed and reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

12. Today, the complainant/respondent No. 2/wife, who is present in the Court in person, states that she has settled all the disputes with the petitioner and has no objection if the FIR is quashed.

13. 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.

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

15. Accordingly, FIR bearing No. 0229/2019 registered at Police Station Nangloi, Delhi, for offences punishable under Section 498A of IPC, 1860 and all consequential proceedings emanating therefrom are quashed.

16. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 11, 2024

S.Sharma