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

+ **CRL.M.C. 7312/2024**

**MOHD JAVED & ORS.**

.....Petitioners

Through: Mr. Ayaz Ahmed (D 3193/2018), Ms. Alya Anjum, Mr. Sarthak Maan, Mr. Devvrat Sharma and Ms. Anash Mirza, Advocates.

versus

**STATE NCT OF DELHI AND ANR.**

.....Respondents

Through: Mr. Shoaib Haider, APP for the State. Mr. Shashank Dewan (D-1302/2016) & Ms. Nikita Dewan (D-3365/2018), Advocates for R-2. SI Anil Kumar (D-6786), PS Jamia Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**13.09.2024**

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**CRL.M.As. 27889-90/2024 (Exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 7312/2024**

1. The present petition has been filed for quashing FIR No.213/2022 dated 10.05.2022, registered at Police Station Jamia Nagar for offences under Section 498A, 406, 34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute 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



agreement dated 05.06.2024, arrived at between the parties before the Delhi Mediation Centre, Saket Courts. As per the settlement agreement, the Respondent No.2 has forgone all her claims qua the marriage. The settlement Agreement further records that the custody of the minor children shall remain with the Respondent No.2 and the Petitioner No.1 shall not claim any visitation rights at any stage.

3. The Petitioners are present in Court and the Respondent No.2/Complainant has joined the proceedings through video conferencing. The parties have been identified by their respective Counsels and the Investigating Officer.

4. Respondent No.2/Complainant has filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. She states that she has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence. She also states that the custody of the child has also been handed-over to her. Needless to state that the present settlement is between the parents of the children, i.e. between the Petitioner No.1 & Respondent No.2, and it cannot take away the rights of the children in any manner.

5. Considering the fact that the dispute is a matrimonial dispute 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.213/2022 dated 10.05.2022, registered at Police Station Jamia Nagar for offences under Section 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. Petitioner No.1 is directed to co-operate in the dissolution of marriage by honoring the *Mubarat* filed by the Respondent No.2 herein.

6. The petition stands disposed of with the above observations along with pending application(s), if any.

**SUBRAMONIUM PRASAD, J**

**SEPTEMBER 13, 2024**

*Rahul*