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

+ **CRL.M.C. 7834/2024**

ABDUL WARIS & ORS.

.....Petitioners

Through: Mr. Muntazir Mehdi, Advocate with
petitioners in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr.Nawal Kishore Jha, APP for State
with SI Kiran Yadav, PS I.P. Estate.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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04.10.2024

CRL.M.A. 29907/2024 (exemption)

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

CRL.M.C. 7834/2024

1. By way of the present petition, the petitioners seek quashing of FIR No.0052/2021 registered under Sections 498A/406/34 IPC at P.S. I.P. Estate, 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 petitioners, wherein petitioner No.1 is the husband and petitioner Nos.2 to 7 are the in-laws of the complainant.



3. Learned APP for the State submits that the petitioners are the only accused persons and respondent No.2 is the complainant/victim in the present case.

4. Learned counsel for the petitioners submits that the parties have settled their dispute on 09.06.2022 vide Settlement/Agreement before Delhi Mediation Centre, Tis Hazari Courts, Delhi. In terms of the settlement, the parties had already parted their ways by taking divorce as per Muslim Personal Law. It was agreed that a sum of Rs.2,25,000/- 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.2,25,000/-, remaining balance amount of Rs.50,000/- is being paid today i.e. Rs. 49,000/- through a demand draft bearing no. 358261, dated 21.09.2024, drawn on Canara Bank, Sadar Bazar-II Branch, Delhi, a photocopy of which has also been placed on record and Rs. 1,000/- has been handed over in cash to respondent No.2.

5. Learned counsel for the petitioners, on instructions from the petitioner No.1, submits that the rights of the minor child, who is in the custody of respondent No.2, as available under the law shall remain unaffected by the terms of the settlement. The petitioner No.1, who is present in the Court reiterates and confirms the same. In acknowledgement of the said statement and undertaking, petitioner No.1 and his counsel have signed the order sheet today.

6. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer SI Kiran Yadav, PS I.P. Estate.



Respondent No.2, who is also present in the Court, has been identified by the concerned I.O.

7. Respondent No. 2 states that she has entered into the aforesaid mediation settlement/agreement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed, subject to encashment of the aforesaid demand draft handed over to her today.

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 the aforesaid demand draft.

11. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

OCTOBER 4, 2024

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