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

+ **CRL.M.C. 8442/2024 & CRL.M.A. 32213/2024**

AMINUDDIN & ORS.

.....Petitioner

Through: Mr. Lakshay Kumar, Adv.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.Respondent

Through: Mr. Sunil Kumar Gautam, APP

WSI Neelsee, PS-Chandni Mahal

Mr. Mohd.Fasin, Mr. Vishnu Dutt,

Mr. Gourav Dahiya, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **20.11.2024**

CRL.M.A. 32213/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8442/2024

1. This is a petition filed under Section 528 of BNSS, 2023 seeking quashing of F.I.R. No. 330/2021 under Section 498A/406/34 IPC dated 23.10.2021 registered at PS-Chandni Mahal.
2. The parties have arrived at a settlement dated 28.08.2024 before the Delhi Mediation Centre, Tis Hazari Courts wherein the custody of three children namely Alina (10 years), Aayesh (7 years) and Samra (4 years) who were in the care and custody of respondent No. 2 till now, shall be now in the care and custody of the petitioner No. 1 who shall look after their everyday needs for food, clothing, education, medical care, residence, etc.
3. The custody of the children has been handed over to the petitioner in Court today.
4. The petitioner is present in Court and is identified by Mr. Kumar, learned counsel and respondent No. 2 is also present and is identified by IO



WSI Neelsee, PS-Chandni Mahal.

5. I am satisfied that the matter has been settled and the settlement is lawful. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of the present FIR and the chargesheet filed thereafter would bring peace and secure ends of justice.

6. 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.

7. As per the judgment of the Hon'ble Supreme Court in '*Ganesh vs. Sudhirkumar Srivastava*' [(2020) 20 SCC 787], the settlement and this order shall not affect the rights of the three children in claiming the rights of maintenance, inheritance, education, marriage etc. against either of the parties.

8. With these observations, the present petition is disposed of.

JASMEET SINGH, J

NOVEMBER 20, 2024/sp

Click here to check corrigendum, if any