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

+ **CRL.M.C. 9526/2024 & CRL. MA 36577/2024**

MOHD ZUBAIR & ORS.

.....Petitioners

Through: Mr. M. Rehman, Advocate with
petitioners (through VC).

versus

THE STATE GOVT OF NCT OF DELHI & ANRRespondents

Through: Mr. Laksh Khanna, APP for State
with SI Rita PS Daryaganj, Delhi.

Mr. M. Arshyan, Advocate for
respondent no.2 with respondent no.2
in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.12.2024

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1. The present petition has been filed on behalf of the petitioners seeking quashing of FIR No. 113/2023 registered under Sections 498-A/406/323/354/377/313/354C/506/509/34 IPC and Sections 3/4 of the Dowry Prohibition Act at P.S. Daryaganj, 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 petitioner No. 1 (husband) whereas petitioner Nos. 2 to 5 are the in-laws of the complainant.

3. Mr. Laksh Khanna, learned APP for the State submits that in the present case, the petitioners are the only accused persons and respondent No. 2 is the complainant/victim. He further states that the charge-sheet has been filed.



4. Learned counsel for the petitioners submits that the parties have settled their disputes vide Mediation Settlement dated 02.12.2024 arrived at between the parties before the Delhi Mediation Centre, Tis Hazari Courts, Delhi, a copy whereof has been placed on record. In terms of the aforesaid mediation settlement, the parties have entered into a Divorce Deed/Talaqnama dated 02.12.2024, whereby they have taken divorce as per Muslim Personal Law. Further, it was agreed that a sum of Rs.4,50,000/- shall be paid by petitioner No. 1 to respondent No. 2 as full and final settlement towards all her claims qua maintenance, mehar amount, iddat expenses, permanent alimony, etc. It is also submitted that Rs.4,50,000/- is being paid today by petitioner No.1 to respondent No.2 by way of a demand draft bearing number 118914 drawn on HDFC Bank dated 04.12.2024.

5. At this stage, respondent No.2, who is present in Court and identified by the I.O., states that though the said demand draft has been presented, however, the same is yet to be encashed.

6. Learned counsel for the petitioners, who has joined the proceedings through VC along with the petitioners, who are identified by their counsel as well as by the IO, undertakes on instructions from petitioner No.1, that the said demand draft shall be encashed on presentation.

7. The aforesaid undertaking is accepted and is taken on record and the petitioners are made bound by the same. In case the aforesaid demand draft is not encashed on presentation for any reason, respondent No.2 shall be at liberty to file appropriate application in accordance with law.

8. The petitioners, who have joined the proceedings through VC, and respondent No.2, who is present in Court, have been identified by their respective counsels as well as by the I.O./ SI Rita PS Daryaganj, Delhi.



9. Respondent No. 2 states that she has settled her disputes with petitioner No.1 out of her own free will, volition and without any coercion. She also acknowledges the receipt of the entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.4,50,000/- handed over to her today.

10. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.

11. The parties shall remain bound by the statements and undertaking made in Court today.

12. 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 aforesaid demand draft of Rs.4,50,000/-.

13. With the above directions, the petition is disposed of alongwith pending application.

MANOJ KUMAR OHRI, J

DECEMBER 10, 2024/*rd*