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

+ **CRL.M.C. 9586/2024**

RASHID AND ANR

.....Petitioners

Through: Mr. Sarthak Dua, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Naval Kishore Jha, APP for the
State with SI Vinod Kumar, Police
Station Sangam Vihar, New Delhi
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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06.12.2024

CRL.M.A. 36794/2024

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

CRL.M.C. 9586/2024

3. The present petition has been filed under Section 482 Cr.PC seeking quashing of FIR No. 173/2019 under Sections 498A/406/34 IPC registered at Police Station Sangam Vihar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, in terms whereof they are living together, the State has



no objection in case the FIR in question is quashed.

5. The petitioner no.1 (husband) and the petitioner no. 2 (wife) are present in the Court and they have been identified by the learned counsel for the petitioner as well as by the Investigating Officer SI Vinod Kumar, Police Station Sangam Vihar, New Delhi.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 23.10.2013 according to Muslim Rites and Customs and the two children were born out of the said wedlock.

7. On account of temperamental differences certain disputes arose between the parties and the respondent no. 2 (wife) made a complaint against the petitioner no. 1 which culminated into the aforesaid FIR.

8. During the pendency of the proceedings, the parties had arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 23.09.2024, which is annexed to the present petition.

9. It is recorded in the aforesaid MOU that the parties have resolved all their disputes and they both agreed to live together.

10. The respondent no.2, on a query put by the Court, affirms the fact that the parties are living together as husband and wife and states that she has no objection in case the FIR is quashed.

11. Having regard to the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.



13. Consequently, the petition is allowed and the FIR No. 173/2019 under Sections 498A/406/34 IPC registered at Police Station Sangam Vihar, New Delhi alongwith all other proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.

DECEMBER 6, 2024
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VIKAS MAHAJAN, J