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

+ CRL.M.C. 4540/2024

MOHD. AAMIL & ANR.

.....Petitioners

Through: Mr. Sunil Kumar and Mr. Prashant
Rana, Advs. along with petitioners

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for State with ASI
Satish Kumar, P.S. Welcome, Delhi.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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29.01.2025

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0097/2018 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Welcome, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. The learned APP appearing on behalf of the State accepts notice. Likewise, the respondent no.2, who is present in court, accepts notice. The learned APP submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.
3. The petitioner no.1 (former husband), as well as, respondent no. 2 (former wife) are present in the Court and they have been identified by the



Investigating Officer i.e. ASI Satish Kumar, P.S. Welcome, Delhi.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 21.04.2016 according to Muslim Rites and Customs.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 13.12.2016. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of proceedings, the parties were referred to the Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 11.03.2024, which is annexed as Annexure P-2 to the present petition.

7. In terms of the said settlement, the parties decided to dissolve their marriage as per Mohammedan Law, on or before 14.05.2024. Accordingly, marriage has been dissolved by pronouncing three *talaqs* in three consecutive months i.e., on 13.03.2024, 12.04.2024 and 14.05.2024 respectively.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.3,50,000/- to the respondent no.2 towards full and final settlement of all her claims on account of *mehar* amount, *iddat* expenses, permanent alimony, maintenance (present, past & future), etc. Out of the said amount, a sum of Rs.1,50,000/- has already been paid by the petitioner no.1 to the respondent no.2 in the manner as mentioned in the settlement. The remaining amount of Rs.2,00,000/- has been paid to the respondent no.2 today in the court by the petitioner no.1 by way of Demand Draft bearing No.459388 dated 27.08.2024 (revalidated on 27.01.2025) issued by Central Bank of India, Bhajanpura, Delhi.

9. The receipt of entire amount of Rs.3,50,000/- is acknowledged by the



respondent no.2, who is present in court.

10. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed.

11. In view of 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.0097/2018 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Welcome, Delhi alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 29, 2025

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