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

+ **CRL.M.C. 6000/2024**

SHAHID AND ORS

.....Petitioners

Through: **Mr. Ruksar Ahmad, Advocate**

versus

THE STATE AND ANR

.....Respondents

Through: **Mr. Ajay Vikram Singh, APP for the
State with SI Sudhanshu Singh, PS
Seelampur**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

17.01.2025

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1. The present petition has been filed under Section 482 Cr. P.C. seeking quashing of FIR No. 514/2022 under Sections under Section 498A/406/34 IPC registered at Police Station Seelampur, Delhi along with all other proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. Learned APP appearing on behalf of the State accepts notice. He submits that State has no objection in case the aforesaid FIR is quashed.
3. The petitioners and the respondent no. 2 (complainant) are present in Court and they have been identified by the I.O/ SI Sudhanshu Singh, Police Station Seelampur, Delhi.
4. Petitioner no. 1 is the former husband of respondent no. 2. Petitioner nos. 2 to 5 are close relatives of petitioner no. 1. The petitioner no. 3 and



respondent no. 2 have joined through video conferencing whereas all other petitioners are present in Court.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 23.12.2018 according to Muslim Customs and Ceremonies but due to temperamental differences certain disputes arose between the parties and they started living separately w.e.f. 17.08.2021. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties have resolved all their disputes and a settlement between the parties has been agreed upon, the terms whereof were reduced in writing in the form of Deed of Settlement dated 27.05.2024, which is annexed as Annexure-P9 to the present petition.

7. It is recorded in the said settlement that the parties have mutually agreed to dissolve their marriage by way of *Khula* at the instance of the respondent no. 2-wife and thereafter the petitioner no. 1 (husband) has pronounced a *Talaq-ul-Bain* to the respondent no. 2-wife in the presence of witnesses and *Qazi/Qazi-e-Shariat*, in accordance with *Sharia Law* and the respondent no. 2-wife has freely accepted the same. It is also a term of the settlement that the custody of the minor children shall remain with respondent no. 2-wife and the petitioner no. 1 has also waived his right to claim the custody of the children.

8. It is further recorded in the Deed of Settlement that the parties have voluntarily agreed without any undue influence, coercion, threat or inducement to dissolve their marriage.

9. Respondent no. 2 who is present in Court, on a query posed by the Court, affirms the factum of settlement and states that she has no objection



in case the aforesaid FIR is quashed.

10. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility, rather it will lead to further acrimony between the parties.

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

12. Consequently, the petition is allowed and the FIR No. 514/2022 under Sections under Section 498A/406/34 IPC registered at Police Station Seelampur, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

JANUARY 17, 2025

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