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

+ **CRL.M.C. 7987/2024**

MD IMRAN & ORS.

.....Petitioners

Through: Mr. Ashok Kumar, Adv. along with
P-1.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Hitesh Wali, APP with S.I. Dalbir
Singh, P.S. Aman Vihar, Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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11.02.2025

CRL.M.A. 30496/2024 (exemption)

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

CRL.M.C. 7987/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.263/2024 under Sections 498A/406/34 IPC registered at Police Station Aman Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Notice in the petition was issued on 08.01.2025. The learned APP appearing on behalf of the State 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.



5. 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 learned counsel for the petitioners, as well as, by the Investigating Officer S.I. Dalbir Singh, P.S. Aman Vihar, Delhi.
6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 12.08.2017 according to Muslim Rites and Customs. Out of the said wedlock, one male child, namely, Md. Saad was born.
7. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 14.03.2023. The parties got divorced on the said date itself according to the Shariat law. The dispute between the parties also led to the registration of present FIR.
8. During the pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 21.08.2024, which is annexed as Annexure P-2 to the present petition.
9. It is a term of settlement that parties shall not claim any maintenance, alimony, any claim in the property belonging to either of the parties or belonging to either of their family members, or any other article or goods or any other liability whatsoever, in relation to past, present and future.
10. It is also a term of settlement that petitioner will have the custody of child, namely, Md. Saad, and respondent no.2 will have visitation rights.
11. The respondent no.2, on a query posed by the Court, states that she has no objection in case the FIR is quashed. She further affirms the factum of settlement.
12. 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.

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

14. Consequently, the petition is allowed and the FIR No.263/2024 under Sections 498A/406/34 IPC registered at Police Station Aman Vihar, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

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

VIKAS MAHAJAN, J

FEBRUARY 11, 2025

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