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

+ **CRL.M.C. 8825/2024**

WALIULLAH & ORS.

.....Petitioner

Through: Mr. K.S. Arya and Ms. Shagufta
Praveen, Advocates with petitioner in
person.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State with Insp. Narender Mani (IO)
PS Nangloi and SI Rajesh Kumar, PS
Vijay Vihar
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

03.02.2025

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1. The present petition has been filed under Section 482 CrPC read with Section 528, BNSS of 2023 seeking quashing of FIR No. 122/2016 under Sections 498A/406/34 IPC registered at Police Station Vijay Vihar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was already issued *vide* order dated 12.11.2024.
3. 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.
4. The petitioner no.1 (former husband) and petitioner nos. 2 to 5, who are close relatives of petitioner no.1, as well as, the respondent no. 2



(former wife) are present in Court. They have been identified by the Investigating Officer SI Rajesh Kumar, Police Station Vijay Vihar, New Delhi.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 23.02.2015 according to Muslim Rites and Customs. Out of the said wedlock, no child was born.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 08.09.2015. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to mediation at Delhi Mediation Centre, Rohini District Courts, Delhi where they arrived at a settlement and the terms of the said settlement were recorded in the form of Agreement/Settlement dated 13.02.2024 which is annexed as Annexure-P3 to the present petition.

8. In terms of the said settlement, the parties decided to dissolve their marriage by way of *Mubaraat (Talaknama)* as per Shariah Law.

9. It is also a term of settlement that the petitioner no.1 shall pay a total sum of Rs. 5,80,000/- to the respondent no.2 towards full and final settlement of all her claims, permanent alimony, maintenance (past, present and future), including mehar and iddat. Out of the said settlement amount, petitioner no. 1 has already paid Rs. 4,35,000/- to the respondent no. 2. The balance amount of Rs. 1,45,000/- has been handed over to respondent no. 2 today in Court.

10. The receipt of entire amount of Rs. 5,80,000/- is acknowledged by the respondent no.2.

11. The respondent no.2, who is present in Court, on a query posed by the



Court, states that she has no objection in case the FIR is quashed.

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. 122/2016 under Sections 498A/406/34 IPC registered at Police Station Vijay Vihar, Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

FEBRUARY 3, 2025
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