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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9232/2024**
SAZAUDDIN SAIFIPetitioner

Through: Mr. Rahul Kumar Singh, Mr.
Sahilendra Kr. Singh and Mr. M.K.
Gupta, Advs.

versus

STATE GOVT. OF NCT OF DELHI & ANR.Respondents
Through: Mr. Hitesh Wali, APP for State with SI
Shalini, PS. Jafrabad.
Mr. Abdul Salam, Adv. for R-2 along
with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
27.02.2025

CRL.M.A. 35417/2024 (exemption)

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

CRL.M.C. 9232/2024

3. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.241/2018 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at Police Station Jafrabad 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, the State has no objection in case the FIR in question is



quashed.

5. The petitioner (former husband), as well as, the respondent no. 2 (former wife), who are present in Court and they have been identified by their respective counsel, as well as, by the Investigating Officer SI Shalini, PS. Jafrabad.

6. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 26.12.2015 according to Muslim Rites and Customs. No child was born out of the said wedlock.

7. On account of temperamental issues certain disputes arose between the parties and they started living separately from each other. The dispute between the parties also led to the registration of present FIR.

8. During the pendency of the proceedings, the parties have referred to Counselling Cell, Family Court, Karkardooma, Shahdara, Delhi where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 28.03.2024, which is annexed as Annexure B to the present petition.

9. In terms of the said settlement, the parties decided to dissolve their marriage by way of mutual consent. Accordingly, *talaq* has been pronounced in three months according to Islamic principles i.e., first pronouncement on 28.03.2024, second one on 28.04.2024 and the last one on 28.05.2024, based on *mubarat* category under Islamic norms which is annexed as Annexure D to the present petition.

10. It is a term of the settlement between the parties that the petitioner shall pay a total sum of Rs.8.50 lacs to the respondent no.2 towards full and final settlement of all her claims on account of permanent alimony, dowry articles, maintenance (past, present and future) etc. in the manner as mentioned in the



settlement. The entire amount of Rs. 8.50 lacs has already been paid to the respondent no.2 by the petitioner.

11. The receipt of entire amount of Rs. 8.50 lacs is acknowledged by the respondent no.2, who is present in court.

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

13. 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.

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

15. Consequently, the petition is allowed and the FIR No.241/2018 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at Police Station Jafrabad alongwith all other proceedings emanating therefrom, is quashed.

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

17. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 27, 2025/dss