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

+ CRL.M.C. 9911/2024

USMAN KURESHI AND OTHERS

.....Petitioners

Through: Ms. Naiem Jahan Heena, Mr. A.K. Pasha and Mr. Raj Kumar, Advs. with petitioners (through VC)

versus

STATE GOVT. OF NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Hitesh Wali, APP for State with ASI Rajendra Singh PS Bhalswa Dairy and SI Mahender Patel PS Narela, Delhi

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
03.03.2025

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1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.101/2022 under Sections 498A/406/34 IPC registered at Police Station Narela, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. 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.
3. The petitioner no.1 (former husband), petitioner nos. 2 – 9, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife)



have joined through VC and they have been identified by their respective counsel, as well as, by the Investigating Officer ASI Rajendra Singh PS Bhalswa Dairy and SI Mahender Patel PS Narela, Delhi.

4. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 02.12.2019 according to Muslim Rites and Customs. Out of the said wedlock, no child was born.

5. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 20.03.2020. The dispute between the parties also led to the registration of present FIR.

6. During the pendency of the proceedings, the parties had arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 31.07.2024, which is annexed as Annexure-3 to the present petition.

7. The learned counsel appearing on behalf of the petitioner submits that in terms of the order dated 17.12.2024 settlement deed/*mubarat* has been placed on record stating that the former husband (petitioner no.1) has pronounced *talaq* in writing, as well as, orally on 20.03.2023, 20.04.2023 and 20.05.2023 and thereafter the marriage of the petitioner no.1 with the respondent no.2 has been dissolved.

8. It is a term of the settlement between the parties that the petitioner no.1 shall pay a total sum of Rs.4,40,000/- 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. The entire amount of Rs.4,40,000/- has already been paid in the manner stated in the settlement.

9. The receipt of entire amount of Rs.4,40,000/- is acknowledged by the



respondent no.2, who has joined through VC.

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.101/2022 under Sections 498A/406/34 IPC registered at Police Station Narela, 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

MARCH 3, 2025

N.S. ASWAL