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

+ **CRL.M.C. 10067/2024**

MR TAJ MOHAMMAD

.....Petitioner

Through: Mr. Shivanjali Bhalerao, proxy
counsel for Ms. Tara Narula,
Advocate

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for the State
with SI Raghuraj Singh, PS Sangam
Vihar
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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07.03.2025

Crl. M.A. 38600/2024 (exemption)

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

CRL.M.C. 10067/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 166/2024 under Sections 498A/406/34 IPC registered at Police Station Sangam Vihar, New Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Notice was issued in the petition *vide* order dated 20.12.2024.
5. 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.

6. The petitioner no.1 (former husband), as well as, respondent no.2 (former wife) are present in Court and they have been identified by the petitioner's counsel as well as Investigating Officer SI Raghuraj Singh, Police Station Sangam Vihar, New Delhi.

7. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 11.07.2016 according to Muslim Rites and Rituals.

8. On account of temperamental issues certain disputes arose between the parties and the respondent no. 2 lodged an FIR No. 4/2017 at Police Station Kotwali Chhatarpur against the petitioner and his family members which was later on withdrawn as settled, but the respondent no. 2 did not join the matrimonial home and continued to live separately since 20.10.2018. Once again, the dispute between the parties, which led to the registration of present FIR.

9. During the pendency of proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Deed dated 04.10.2024, which is annexed as Annexure P-3 to the present petition.

10. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have executed a Mubarat Deed dated 25.09.2024, which is annexed as Annexure P-4 to the present petition.

11. It is a term of the settlement between the parties that the petitioner



no.1 shall pay a total sum of Rs. 2,00,000/- 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 said sum of Rs. 2,00,000/- has already been paid by the petitioner to the respondent no.2 in the manner as mentioned in the settlement.

12. The receipt of entire amount of Rs.2,00,000/- is acknowledged by the respondent no.2, who is present in court.

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

14. 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.

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

16. Consequently, the petition is allowed and the FIR No. 166/2024 under Sections 498A/406/34 IPC registered at Police Station Sangam Vihar, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

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

VIKAS MAHAJAN, J

MARCH 7, 2025

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