

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

+ **CRL.M.C.No.2040/2008**

% **Date of Decision: 28.08.2008**

Naved Jamal & Others Petitioners

Through Mr.Vinod Khanna, Advocate along with
petitioner Nos.1 and 2 in person.

Versus

State, Govt. of NCT of Delhi & Another Respondents

Through Mr.R.N. Vats, APP for the State.
Mr.P. Norula, Advocate for respondent
No.2 along with respondent No.2 in
person.

CORAM:
HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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Crl.M.A. No.7646/2008

Allowed, subject to just exceptions.

The application is disposed of.

CRL.M.C.No.2040/2008

Petitioner Nos.1 and 2 and respondent No.2 are present along with their counsel. Learned counsel for the parties have contended that

the marriage between the petitioner No.1 and respondent No.2 has been dissolved by a decree of divorce 21.04.2008 under Section 28(2) of the Special Marriage Act, 1954. All other disputes have also been resolved and a settlement has been arrived at between the parties. Under the settlement, respondent No.2 is entitled for Rs.3.00 lakh in satisfaction of all her claims against the petitioners, out of which Rs.2.00 lakh was paid to her earlier and the balance amount of Rs.1.00 lakh has been paid to her in the court today by way of demand draft bearing No.233130 dated 28.08.2008 drawn on ABN Amro Bank.

Let the statement of respondent No.2 be recorded.

Statement of respondent No.2 has been recorded who has been identified by her counsel. Respondent No.2 has deposed that she has settled all her claims and her marriage with petitioner No.1 has been dissolved by a decree of divorce 21.04.2008 under Section 28(2) of the Special Marriage Act, 1954.

Considering the facts and circumstances, it is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.235/2003 dated 16.12.2003 under Sections 498A/406 of Indian Penal Code registered at Police Station Kapashera against the petitioners. It shall also be in the interest of justice to quash the said FIR and all the proceedings emanating therefrom, in the facts and circumstances. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to quashing of FIR No.235/2003 dated

16.12.2003 under Sections 498A/406 of Indian Penal Code registered at Police Station Kapashera and all the proceedings emanating therefrom against the petitioners.

In the totality of facts and circumstances, FIR No.235/2003 dated 16.12.2003 under Sections 498A/406 of Indian Penal Code registered at Police Station Kapashera and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

August 28, 2008

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ANIL KUMAR, J.