

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

+ **CRL.M.C.No.2402/2008**

% **Date of Decision: 28.08.2008**

Sh.Wajid Khan & Others .... Petitioners

Through Mr.Jitendra Pancharia and Mr.Vijay  
Khaneja, Advocates along with  
petitioner Nos.1 and 2.

Versus

State, Govt. of NCT of Delhi & Another .... Respondents

Through Mr.R.N. Vats, APP for the State with SI  
Sukhdev Singh, PS Sadar Bazar.  
Mr.Arvind Kumar, Advocate for  
respondent No.2 along with respondent  
No.2 in person.

**CORAM:**  
**HON'BLE MR. JUSTICE ANIL KUMAR**

- |    |                                                                       |     |
|----|-----------------------------------------------------------------------|-----|
| 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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**Cr1.M.A. No.8950/2008**

Allowed, subject to just exceptions.

The application is disposed of.

**CRL.M.C.No.2402/2008 & CrI.M.A. No.8949/2008**

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, who are Muslims, has been dissolved and a compromise deed dated 11<sup>th</sup> April, 2008 was executed acknowledging the dissolution of marriage between the petitioner No.1 and respondent No.2. The other disputes between the parties have also been resolved and a settlement has been arrived at between the parties. Under the settlement, respondent No.2 is entitled for Rs.40,000/- in satisfaction of all her claims against the petitioners, out of which Rs.20,000/- was paid to her before the learned Magistrate in the proceedings under Section 125 of Criminal Procedure Code which was also withdrawn by respondent No.2 and the balance amount of Rs.20,000/- has been paid to her in cash today in the court.

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 disputes and she has been divorced by petitioner No.1 which has been accepted by her.

Considering the facts and circumstances, it is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.453/2002 dated 21.12.2002 under Sections

498A/406/34 of Indian Penal Code registered at Police Station Sadar Bazar against the petitioners. It shall also be in the interest of justice to quash the said FIR and all the proceeding emanating therefrom, in the facts and circumstances. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to quashing of FIR No.453/2002 dated 21.12.2002 under Sections 498A/406/34 of Indian Penal Code registered at Police Station Sadar Bazar and all the proceedings emanating therefrom against the petitioners.

In the totality of facts and circumstances, FIR No.453/2002 dated 21.12.2002 under Sections 498A/406/34 of Indian Penal Code registered at Police Station Sadar Bazar and all the proceedings emanating therefrom against the petitioners are quashed.

The petition and the application are disposed of.

Dasti.

**August 28, 2008**  
'Dev'

**ANIL KUMAR, J.**