

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

+ **CRL.M.C.No.2521/2008**

% **Date of decision : 05.08.2008**

Mohd. Akram and Others Petitioners
Through: Mr.Haneef Mohammad and
Mr.Anis Vyas, Advocates along
with petitioners in person.

Versus

State (NCT of Delhi) & Another Respondents
Through : Mr.R.N. Vats, APP for State along
with SI G.S. Rawat.
Ms.Monika, 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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All the petitioners and respondent No.2 are present with their counsel. Learned counsel for the parties state that the matter between the parties has been resolved amicably and the marriage between the petitioner No.1 and respondent No.2 has been dissolved by virtue of *Talaq* pursuant to the execution of deed of settlement/deed of *Talaq-E-Mubrrat* on 23rd July, 2008.

Under the settlement, respondent No.2 is entitled for a total sum of Rs.3.00 lakh out of which Rs.1.50 lakh was paid earlier and Rs.1.50 lakh has been paid to her today in the court by a demand draft bearing No.696699 dated 30.07.2008 for a sum of Rs.1.50 lakh drawn on State Bank of India, Inderlok, New Delhi-110035.

Learned counsel for the parties state that in view of the settlement no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.451/2006 under Sections 406/498A/34 of Indian Penal Code registered at Police Station Sarita Vihar, New Delhi, against petitioners.

Let the statement of respondent No.2 be recorded, who is identified by her counsel.

Statement of respondent No.2 has been recorded. The disputes between the petitioner No.1 and respondent No.2, who were husband and wife, has been resolved amicably. The marriage between the petitioner No.1 and respondent No.2 has already been dissolved by virtue of *Talaq* pursuant to the execution of deed of settlement/deed of *Talaq-E-Mubrrat* on 23rd July, 2008. It is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to

FIR No.451/2006 under Sections 406/498A/34 of Indian Penal Code registered at Police Station Sarita Vihar, New Delhi, against petitioners.

Considering the facts and circumstances, it shall also be in the interest of justice to quash the said FIR and all the proceeding emanating therefrom. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to the quashing of the FIR.

Therefore, in the totality of facts and circumstances, FIR No.451/2006 under Sections 406/498A/34 of Indian Penal Code registered at Police Station Sarita Vihar, New Delhi, and all the proceedings emanating therefrom against petitioners are quashed.

The petition is disposed of.

Dasti.

August 05, 2008
'Dev'

ANIL KUMAR, J.