

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

+ CRL.M.C. 3034/2008

MOHD.WASIM & ORS. Petitioner
Through Ms. Jyoti Gupta, Advocate

versus

STATE & ANR. Respondent
Through Mr. Jaideep Malik, APP
Ms. Usha Srivastava, Advocate for R2

CORAM:
HON'BLE MISS JUSTICE REKHA SHARMA

% **ORDER**
16.09.2008

This is a petition under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 384 of 2005 under Sections 498A/406/323/509/34 IPC registered at police station Seelampur.

The FIR in question came to be registered against the petitioners on the complaint of respondent No. 2 who is the wife of petitioner No. 1. After investigation, charge-sheet was filed and the proceedings thereto are pending in the court of Metropolitan Magistrate Ms. Shuchi Shahmiri at Karkardooma Courts, Delhi. The matter between the parties has been settled through mediation.

The report of the mediator Shri Sanjay Gupta, dated January 28,

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2008, has been placed on the record. The terms of the settlement are contained therein. As per clause 3 of the same, petitioners were to pay Rs. 35,000/- to respondent No. 2 along with interest @ 6% per annum. The petitioners have paid Rs. 35,000/- in cash to respondent No. 2 today in the court. Insofar as the interest is concerned, respondent No. 2 has waived the same. Now, there is no dispute left between the parties.

Having regard to the above facts, I am of the view that no useful purpose will be served in allowing the proceedings pending in the court of Metropolitan Magistrate Ms. Shuchi Shahmiri at Karkardooma Courts, Delhi, to continue. Accordingly, I quash FIR No. 384 of 2005 under Sections 498A/406/323/509/34 IPC registered at police station Seelampur and the proceedings arising therefrom.

The petition is disposed of.

Dasti.


REKHA SHARMA, J.

SEPTEMBER 16, 2008

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