

56.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3551/2010

MOHD SAMIR & ORS

..... Petitioners

Through: Mr. Sumer Kumar Sethi, Advocate
with petitioners No.1 to 3 in person.

versus

STATE

..... Respondent

Through: Mr. M.N. Dudeja, APP for the State

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

% 16.11.2010

1. The present petition is filed by the petitioners under Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.228/2005, lodged by petitioner No.3/complainant against her husband, petitioner No.1 and the members of his family under Sections 498A/406/34 IPC, registered with Police Station: Patel Nagar (West), Delhi.

2. Counsel for the petitioners states that the marriage of petitioner No.1 and petitioner No.3/complainant was solemnized on 09.12.2003 and a female child was born from out of the wedlock. In the year 2004, petitioner No.3/complainant lodged a complaint against her husband as also against the members of his family stating *inter*

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alia that dowry demands were made on her. This was followed by lodging of the aforesaid FIR on 22.4.2005. A charge-sheet was filed against petitioners No.1 and 2 and the father of petitioner No.1, who expired on 04.01.2007. In the meantime, with the intervention of the Court, the parties arrived at a settlement as recorded in the Compromise Deed dated 15.11.2010 in terms of which, the parties decided to reunite and stay together at the matrimonial home. It is stated that now the parties are residing together and petitioner No.3/complainant is left with no grievance against petitioners No.1 and 2.

3. The parties are present in Court with their counsel. Petitioner No.3/complainant confirms the aforesaid position and states that she has no objection to the FIR being quashed as she is residing at the matrimonial home with her husband, petitioner No.1.

4. Learned APP for the State submits that after completion of the investigations, charge-sheet has been filed. However, in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed.

5. This Court has heard counsels for the parties. In view of the submission made by petitioner No.3/complainant and in view of the fact that the parties have arrived at a settlement of their own free

will and volition and without any undue influence or coercion³
from any quarters, no useful purpose will be served by proceeding
further with the aforesaid FIR and the proceedings arising therefrom.

6. Accordingly, the prayer made in the petition is allowed. FIR
No.228/2005, lodged by petitioner No.3/complainant with Police
Station: Patel Nagar (West), Delhi, and all proceedings arising
therefrom stand quashed.

7. The petition is disposed of. File be consigned to the record
room.

NOVEMBER 16, 2010
rkb



HIMA KOHLI, J